



City of Harrisonburg, Virginia

Planning Commission Meeting

March 10, 2010

7:00 p.m.

Regular Meeting
409 South Main Street

- 1) **Call to order, roll call, determination of quorum, and review/approval of minutes from the February 10, 2010 regular meeting.**

- 2) **New Business**

Rezoning – 1351 North Main Street (HRC SB)

Public hearing to consider a request from the Harrisonburg-Rockingham Community Services Board to rezone a 0.456 +/- acre parcel zoned B-2C, General Business District Conditional by amending their proffers. The parcel is located at 1351 North Main Street and can be found on tax map 42-B-4.

Rezoning – EMU Master Plan Change 2010

Public hearing to consider a request from Eastern Mennonite University to rezone 42.9 +/- acres of their property zoned R-3, Multiple Dwelling Residential District and I-1, Institutional Overlay District by amending their master plan. The properties are located along Park Road, West Dogwood Drive, and Parkwood Drive and can be found on tax maps 48-H-3 & 4 and 51-A-1.

Ordinance Amendments – Zoning Ordinance Amendments Sections 10-3-5, 16, 25, 48.3, 120, 122, 123, & 139

Public hearing to consider amending the Zoning Ordinance Sections 10-3-5, 16, 25, 48.3, 120, 122, 123, & 139 for updates and corrections.

- 3) **Unfinished Business**

- 4) **Public Input**

- 5) **Report of secretary and committees**

Proactive Zoning

- 6) **Other Matters**

- 7) **Adjournment**

Staff will be available Tuesday April 13, 2010 at 2:30 p.m. for those interested in going on a field trip to view the sites for the April 14, 2010 agenda.

MINUTES OF HARRISONBURG PLANNING COMMISSION
February 10, 2010

The Harrisonburg Planning Commission held its regular meeting on Wednesday, February 10, 2010, at 7:00 p.m. in the City Council Chambers, 409 South Main Street.

Members present: Richard Baugh, Charles Chenault, Muawia Da'Mes, Alan Finks, Deb Fitzgerald, Bill Jones and J.M. Snell.

Members absent: none.

Also present: Stacy Turner, Director of Planning and Community Development; Adam Fletcher, City Planner; Alison Banks, Planner and Secretary.

Chairman Jones called the meeting to order and determined there was a quorum with all seven members in attendance. He then asked for review and approval of the minutes from the February 10, 2010 regular Planning Commission meeting and the minutes from the February 10, 2010 Comprehensive Plan review meeting.

Mrs. Fitzgerald moved to approve the minutes.

Mr. Chenault seconded the motion.

All voted in favor of approving the minutes. (7-0)

New Business

Rezoning – 116 Reservoir Street (Blue Ridge Insurance Services, Inc.)

Chairman Jones read the request and asked staff to summarize.

Mrs. Banks said the Comprehensive Plan designates this area as Public / Semi-Public. This designation includes both existing and proposed public and semi-public use. They include lands owned or leased by the Commonwealth of Virginia (except for institutions of higher learning), the federal government, the City of Harrisonburg, and other governmental organizations.

The following land uses are located on and adjacent to the property:

Site: Vacant, single-story building formerly used by Department of Agriculture & Consumer Services, zoned R-2

North: Single-family and duplex dwellings, zoned R-2

East: Single-family dwellings, zoned R-2

South: Vacant parcels and single-family dwellings, zoned R-2

West: Vacant parcels and duplex dwellings, zoned R-2, and Woodbine Cemetery, zoned R-3

This is a request to rezone a 1.2 +/- acre parcel from R-2, Residential District to R-3C, Multiple Dwelling Residential District Conditional. The property is located at the intersection of Reservoir Street and Franklin Street (extended) and is improved with a single story brick building. Formerly owned and occupied by the Commonwealth of Virginia, the 11,991 +/- square foot building was used as offices and an agricultural lab. Such a use within the R-2, Residential Zoning District was permitted because the property was owned and operated by the State.

If rezoned, the applicant would relocate her insurance business to the site. The insurance agency would occupy slightly more than half of the facility. The remaining portion of the building would be leased to other non-residential uses permitted within the R-3 zoning district. Interior renovations are planned for the facility; however, no additions or major exterior renovations would be made. Based on the size of the building 40 parking spaces are required. The applicant proposes to resurface and mark the large, front parking area in order to provide the required number of spaces. There are also several parking spaces along the southern side of the property that can be utilized.

The Comprehensive Plan designates the land as Public / Semi-Public because the Commonwealth of Virginia owned the property; however, the surrounding area is indicated as Medium Density residential, which is most closely associated with the uses permitted in the R-3 district. The majority of the adjacent properties are zoned R-2 and consist of single-family and duplex dwellings.

As part of the application, the applicant has proffered the following:

- multi-family and townhouse dwellings would not be permitted;
- residential units would be limited to occupancy by a family or two unrelated individuals.

Although not proffered, the applicant has stated a willingness to work with the City on issues pertaining to right-of-way dedication for the planned improvements to Reservoir Street.

Staff feels this is a viable re-use of a property that has been vacant for some time, while also complying with the Comprehensive Plan. The submitted proffers make the property more aligned with the current uses of the surrounding neighborhood and allow for the facility to once again be used as offices. Staff supports this rezoning request and a favorable recommendation to City Council.

Chairman Jones asked if there were any questions for staff. Hearing none, he opened the public hearing and asked if there was anyone wishing to speak in favor of the request. Hearing none, he asked if there was anyone wishing to speak in opposition of the request. Hearing none, he closed the public hearing.

Mrs. Banks noted that the applicant was present if there were any questions.

Chairman Jones asked if the applicant would like to speak.

Ms. Karin Flagle, the applicant, said no, unless there were questions from the Commission.

Chairman Jones asked for discussion, or a motion, on the matter.

Mr. Chenault said I think this is an exciting reuse of property; which is actually a very historical property. This was the location of the City's first reservoir. I move to recommend approval of the rezoning.

Mr. Finks seconded the motion.

Chairman Jones said there is a motion to recommend approval and a second. He then called for a voice vote on the matter.

All voted in favor of the motion to recommend approval. (7-0)

Rezoning – 715 North Main Street; Special Use Permits – (Reduced Parking 10-3-97 (8)); (Charitable and Benevolent Uses 10-3-97 (9)); (Boarding and Rooming house 10-3-97 (13))

Chairman Jones said we will hear next four items together as one report.

Mr. Chenault recused himself from this request and left the Council Chambers.

Mr. Fletcher said the Comprehensive Plan designates this area as Commercial. This designation states that these areas include uses for retail, wholesale, or service functions. These areas are found along major travel corridors and in the Central Business District of the City.

The following land uses are located on and adjacent to the property:

Site: Dwelling unit, zoned R-2

North: Across an undeveloped alley, residential dwellings, zoned R-2

East: Across an undeveloped alley, non-conforming commercial uses, zoned M-1

South: Across North Main Street and the intersection with East Washington Street, non-conforming dwelling units and commercial units, zoned M-1

West: Dwelling unit, zoned R-2

The Harrisonburg Redevelopment and Housing Authority (HRHA), the contract purchaser for the subject property, is requesting a rezoning from R-2, Residential District to M-1C, General Industrial District Conditional. In anticipation of the rezoning being approved, they are concurrently requesting three special use permits to allow a boarding and rooming house operation per Section 10-3-97 (13), a religious, educational, charitable and benevolent organization per Section 10-3-97 (9), and for approval to permit fewer than the required number of parking spaces per Section 10-3-97 (8). The property is located at 715 North Main Street near the intersection of North Main Street and Washington Street. No parking is permitted along this property's frontage with North Main Street; however an adjacent 12-foot alley provides access to the rear of the parcel.

Interestingly, this property was once zoned M-1. In April 2002, Lewis G. Bagwell, who is still the property owner, successfully rezoned the parcel, and the adjacent lot at 707 North Main Street, from M-1 to R-2. At that time, he wanted to alleviate issues with non-conformancy and to potentially convert the subject property's building into a duplex. Although physical renovations were carried out, the improvements were never fully completed and the unit was never officially converted to a duplex.

As the contract purchaser, HRHA would own the property but would work in cooperation with individuals from the New Community Project (NCP) and Our Community Place (OCP) to operate "a supportive housing and sustainable living project." At some time in the future, HRHA may sell the property to NCP and/or OCP. The plan is to provide a secure housing location for people who may be struggling with homelessness, drug use, and/or instability. While providing such shelter, the plan is to teach spiritual and environmental stewardship in faith to focus the residents' life toward a meaningful and positive future by way of therapeutic micro-enterprise projects. The larger mission is to help residents in need while also promoting and exemplifying how to live sustainably. To do this, a rezoning and three special use permits are necessary.

First, the applicants are requesting a rezoning to M-1C. As the land use designation for many properties along this corridor is Commercial, the applicants are proffering several conditions, which remove many of the industrial type uses permitted by the M-1 district.

The applicants are proffering the following:

1. The following uses permitted by right in the M-1 zoning classification will continue to be permitted by right:
 - a. Veterinary supply and service establishments including hospitals, laboratories and kennels.
 - b. Maintenance and repair shops.
 - c. Mercantile establishments and office facilities accessory to and supportive of the sale, processing and storage of goods and materials as permitted in this district.
 - d. Hotels, motels and similar types of transient accommodations. Nontransient housing facilities are not permitted nor may existing housing facilities be expanded.
 - e. Accessory buildings and uses customarily incidental to any of the above-listed uses.
 - f. Training facilities and vocational schools.
 - g. Public utilities, public service or public transportation uses or building, generating, purification or treatment plants, water storage tanks, pumping or regulator stations, telephone exchange and transformer or substations.
 - h. Plant nurseries and greenhouses.
 - i. Public uses.

The remaining uses and any future uses added to the uses permitted in the by right section of the M-1 zoning classification being proffered out and thereby not permitted. Also as an additional general proffer, no buses shall be parked other than for immediate loading and unloading on this property.

2. For purposes of the sign ordinance, the applicant proffers to be bound by that portion of the sign ordinance for the R-1 zoning classification as established in Section 11-7-4 of the City ordinances, the signage permitted in the M-1 zoning classification being proffered out and thereby not permitted.

Staff believes the submitted proffers remove the possibility of uses that would be uncharacteristic of the future plans for this area of North Main Street and supports a favorable recommendation to City Council to rezone the properties from R-2 to M-1C.

In anticipation of approval, the applicants are concurrently applying for the necessary special use permits to allow their desired uses. The first request is to permit a boarding and rooming house per Section 10-3-97 (13). The Zoning Ordinance now defines boarding and rooming houses as: *A single detached dwelling, where the property owner or property lessee/operator resides on the premises, and where for compensation and by prearrangement, for definite periods, lodging and/or meals are provided for three (3) persons to a maximum of ten (10) persons. The resident property owner or resident property lessee, who operates the boardinghouse or rooming house, shall be responsible for making an application for any required special use permit. A boardinghouse or rooming house must obtain an annual business license as required by the Harrisonburg City Code and the boardinghouse or rooming house shall also be in compliance with the Virginia Maintenance Code (VMC). The responsible party shall schedule a yearly inspection that shall be conducted between October 1st and October 31st to ensure compliance with the current VMC and other applicable regulations. Should the property not comply with the VMC or other regulations, a specified time shall be given to make corrections. If the corrections are not made within the allotted time, or if the responsible party fails to have the property inspected by October 31st, the special use permit shall automatically expire and become null and void. Operation of a boardinghouse or rooming house*

shall not be deemed a home occupation. The applicants should be mindful of all stipulations as required in the above definition.

Their boarding and rooming house plan is to have up to three residents per bedroom and to permit the maximum number of boarding and rooming house occupants, which is ten. There will also be a bedroom for the twenty-four hour staff resident. As described within their application package, there will be several house rules including on site and common work hours; required dinners; weekly meetings; curfews; no alcohol, drugs, or weapons; and that residents must sleep in the house every night.

To allow the "non-profit micro-enterprise projects" and the other planned uses, a second special use permit is necessary per Section 10-3-97 (9) for religious, educational, charitable and benevolent institutional uses. The micro-enterprise projects include the residents working on a small urban market garden, working on small bicycle maintenance and repair projects, and helping with sustainable-living tours and educational workshops that would be, from time to time, offered on-site. An office to support these uses is planned but would not be used by the general public. Staff would like to point out there is no conflict with Section 10-3-97 (9)'s regulations that prohibit religious, education, charitable and benevolent uses from providing housing facilities because the boarding or rooming house is viewed as a separate use, which could function without the association with the charitable and benevolent uses.

Finally, the third special use permit requested is per Section 10-3-97 (8) to reduce required parking areas. Overall, the property would need a total of 13 parking spaces as the boarding and rooming house requires ten spaces and the office use related to the religious, educational, charitable and benevolent uses requires three spaces. The applicant explains that the people who will be residing in the boarding and rooming house will most likely not have a vehicle and therefore do not require space for parking. Further, as described above, part of the larger mission of this project and the non-profit organization is to promote and exemplify environmental stewardship, which in this case will be through maintaining green/open space for gardening and by using, encouraging, and repairing bicycles for alternate means of transportation. Per this request, the applicants would like a reduction of eight parking spaces while providing five spaces for the resident staff person(s) and for visitors associated with the activities on site. As required by the special use permit, they must maintain the area that would have been used as parking as open/green space and also document this requirement in the deed to the property.

At the present time, a portion of the backyard is utilized as an access/driveway for the adjoining property to the south at 707 North Main Street. The applicants have explained to staff when they take ownership of the property they will most likely remove this access as they plan to use this area for gardening or other activities. The current owner of the subject property also owns the adjoining property to the south. If this access drive is removed, the adjacent public alley continues behind the 707 North Main Street property, and therefore it can be used for backyard access.

Staff believes the proposals are positive and will be beneficial for the restoration of this property and for the surrounding neighborhood. Staff further believes this project would be valuable for the larger community in its mission to provide assistance toward a resolution for struggling citizens and also by offering a model for sustainable living. In addition, the overall proposal meets several objectives of the Comprehensive Plan including working with the community for neighborhood improvement; partnering with HRHA and others to address community housing needs; preserving and enhancing the City's natural resources and encouraging development that is compatible with

nature; promoting resource conservation; promoting bicycling as an alternative mode of transportation; and stabilizing, improving, maintaining, and revitalizing neighborhoods under stress.

Staff believes the submitted proffers for the property are in-line with the future plans for this section of North Main Street and recommends approving the rezoning from R-2 to M-1C. Staff further encourages approval of the special use permits to allow a boarding and rooming house per Section 10-3-97 (13), to permit reduced parking per Section 10-3-97 (8), and to permit religious, educational, charitable, and benevolent uses per Section 10-3-97 (9), but only with the following conditions:

1. The boarding and rooming house along with the uses permitted by Section 10-3-97 (9) and the reduced parking privileges shall be applicable only for uses the same as the applicants' proposed project.
2. The property shall supply no less than five parking spaces.
3. If in the opinion of Planning Commission or City Council, parking issues become a nuisance, the reduced parking special use permit could be recalled for further review, which could lead to the need for additional parking spaces, conditions, restrictions, or the revocation of the permit.

Staff believes the above conditions would help control parking conflicts for the proposed uses and prevent other non-profit religious, educational, charitable, and benevolent uses from operating that may not require as few parking spaces, or generally function, as is proposed by the current organizations.

Chairman Jones asked if there were any questions for staff. Hearing none, he opened the public hearing for the rezoning request and asked if there was anyone wishing to speak in favor of the request.

Mr. Michael Wong, Director of Harrisonburg Redevelopment and Housing Authority, said he would like to invite Tom Benevento and Daniel Brumbaugh-Keeney with New Community Project to join him while discussing and answering questions for this request. In your packets you received the names, addresses and signatures of some of the adjoining property owners in support of this request; we actually have an updated list we want to share with you tonight. As you know, the housing authority has been very actively involved in trying to address some of the housing issues in our local area. We have seen an increase in the needs of the homeless; in fact this past year we have seen a dramatic increase. We just recently did a point in time count. We do not have those totals yet, but we did receive the most surveys that we have ever had. This proposal addresses a segment of a need in which some of those currently homeless are ready to transition into. It is what we call a supportive housing situation. We are excited about this project. We have looked at several other properties in regard to this proposal and we feel like this location is one of the best options for it. Tom and Daniel will now talk about the programs and the focus of the project.

Tom Benevento said thank you to staff for their work on this and for giving us clarity on how we needed to put this all together. I would like to discuss New Community Project, which is doing a number of programs around the City in terms of sustainability. Our mission is to create sustainable systems that care for creation, empower people most marginalized within our community, and educate. This house will reflect that mission. We do not see this as a shelter; a shelter is a place where people come in and out for short terms. This is really a supportive home for people that are

motivated to make changes in their lives. It is designed so that there is an on-site staff person, 24 hours, who lives with the individuals in the house. There are a number of rules and a schedule for the residents of the house. We see it as a place that can be the structure some people need in order to help them move forward to become successful in their lives.

There are two components to the house. The first is the supportive housing and the other is the model of sustainable living. We have found in the community there is a real desire and interest in learning about how we can live with more of a relationship with the earth, in sustainable types of ways. We want this to be a place where individuals from the area can come to learn and exchange some of those ideas, as well as interface with those people that are in a struggling time in their lives. We have a market garden program that we want to set-up, such that the individuals in the home would work on a certain schedule and then sell to the local farmers market and a couple of local restaurants. This food will be grown organically, and will be hand-tooled; there are no tractors, etc. We deliver our product using bike trailers, so there is no fossil fuel used in the process. There would be the occasional groups that come to see what we are doing at the house and share ideas. We would have occasional workshops, such as organic gardening, from time to time. Ultimately, our goal is to attempt to manifest God's dream of our ability to care for each other as a human family without distinctions.

Mr. Finks asked how long would an individual stay at the home.

Mr. Benevento said we actually would interview the individuals to determine if they are the appropriate kind of person to move into the house. We would then set up a contract with the individual and provide a mentor who would touch base with them weekly to determine if they are keeping up with their contract and making changes in their lives. We would set up this living arrangement as six months minimum, but typically it would be a year, maybe even longer.

Mr. Da'Mes asked if it would be limited to an individual or would families come and stay for periods of time?

Mr. Benevento replied the way the rooms are set up would allow only two per room.

Mr. Fletcher said they could actually have up to three per bedroom. The occupancy per room would be regulated by building codes.

Mr. Brumbaugh-Keeney said when we originally planned this we had been thinking of individuals, but certainly we would be open to couples and potentially families. However, that is not our intent.

Chairman Jones asked if there was anyone else wishing to speak in favor of the request. Hearing none, he asked if there was anyone wishing to speak against the request. Hearing none, he closed the public hearing and asked if there was any discussion.

Mr. Baugh said this came up at City Council last night, because of an encroachment issue with this building, and if you recall this is very similar to a proposal we considered eighteen months ago at a site on Fifth Street. Many of the same people are involved and it had a lot of the same merits as this request. The Fifth Street proposal was tabled, and ultimately withdrawn, at the applicant's request; because of mixed feelings within that neighborhood. From my perspective, that was a very worthy project as is this one. I am favorable to this request.

Mr. Da'Mes asked if there are other examples of boarding houses in Harrisonburg.

Mr. Fletcher replied there are a few, none of the nature that would operate such as this. We actually have no legal, conforming rooming and boarding houses per our definition.

Mr. Finks said there are two things that have made an impression on me this evening. At the Fifth Street request, the neighbors had concerns whether or not the people living at the house would be checked-out, before they moved in and would it be a long term commitment. With this request, it is more of a long term commitment for individuals who are there to help turn their lives around. This is very positive to me, and I have heard no objections this evening; therefore I am going to move that we approve this request.

Mrs. Turner stated that the Planning Commission needs to take each individual request separately and then vote on them separately.

Mr. Finks changed his motion to be in favor of the rezoning request.

Chairman Jones said we have a motion to recommend favorably for the rezoning request; is there a second.

Mr. Snell said he would second the motion if the motion includes the proffers.

Mr. Finks replied yes, the motion is to recommend approval with the proffers.

Mr. Snell asked staff if they could confirm that the property owners, Mr. Bagwell and Mr. Shifflett are in agreement with the proffers; because Mr. Wong only signed as the contract purchaser.

Mr. Fletcher said yes, there is a document in your packet that says they, as owners, consent to the applications that have been made.

Mr. Snell said if HRHA can represent Mr. Bagwell and Mr. Shifflett then I am in agreement.

Mr. Bagwell and Mr. Shifflett, property owners at 715 North Main Street, came forward at this time to say they were in total agreement with these requests and have been since day one.

Mr. Snell said very good and seconded the motion.

Chairman Jones called for a voice vote.

All voted in favor of the motion to recommend approval of the rezoning request with proffers. (6-0)

Chairman Jones opened the public hearing for the special use request to section 10-3-97(8), reduced parking, and asked if there was anyone wishing to speak in favor of the request. Hearing none, he asked if there was anyone wishing to speak opposed to the request. Hearing none, he closed the public hearing and asked for a motion.

Mr. Finks moved to recommend approval with the conditions provided by staff.

Mr. Snell seconded.

All voted in favor of the motion. (6-0)

Chairman Jones opened the public hearing for the special use request to section 10-3-97(9), charitable and benevolent uses, and asked if there was anyone wishing to speak in favor of the request. Hearing none, he asked if there was anyone wishing to speak opposed to the request. Hearing none, he closed the public hearing and asked for a motion.

Mr. Baugh moved to recommend approval of the request, subject to the conditions stated.

Ms. Fitzgerald seconded the motion.

All voted in favor of the motion. (6-0)

Chairman Jones opened the public hearing for the special use request to section 10-3-97(13), boarding and rooming house, and asked if there was anyone wishing to speak in favor of the request. Hearing none, he asked if there was anyone wishing to speak opposed to the request. Hearing none, he closed the public hearing and asked for a motion.

Mr. Baugh moved to recommend approval of the request, subject to the conditions recommended by staff.

Mr. Snell seconded the motion.

All voted in favor of the motion. (6-0)

Chairman Jones said this will go before City Council on March 9, 2010.

Mr. Chenault returned to the Council Chambers at this time.

Unfinished Business

None.

Public Input

Hanna Balca, a local resident of Harrisonburg, said she was attempting to open a clinic in her home and discovered, when getting her business license, that her property is zoned M-1, Industrial. I am here today to ask or to see, how you feel about changing the zoning laws within my area, or within the home occupations, so that I could have my business within my home. I want to open a by-appointment-only massage clinic within my home; but, I am finding out that there are some road blocks. I have a business plan written out, which I brought copies to share, and would like to practice my business in my home. My home is on Virginia Avenue, right next to the JMU facility building, I am surrounded by parking lots and my business would have no greater impact than what is already there. However, I understand that there is a much broader picture regarding this, and I wanted to get your input on that.

Chairman Jones asked Ms. Balca if she had come in and spoken with staff.

Mr. Fletcher said to make Planning Commission aware, we have spoken with Ms. Balca at length, making her aware of the issues and how she could potentially make this possible in her situation. It may involve multiple steps such as an ordinance amendment, redefining home occupations, a rezoning, and more. This all began as a home occupation attempt, when Ms. Balca was informed she could not do her business as a home occupation. She would like to attempt to do this in the easiest way possible, with the least financial burden upon her, which is why she did not attempt to do an ordinance amendment right away. She wanted to come in and just let those who make the decisions know what it is she wanted to do.

Ms. Banks added that in this particular case it cannot be remedied with a change to the home occupation definition. Ms. Balca's home is in an M-1, Industrial District as a non-conforming use, and the M-1, zoning does not permit home occupations. I feel it would be somewhat illegal to amend the ordinance and allow this as a home occupation in the M-1, because we do not allow residential uses within the M-1. We have discussed with Ms. Balca different routes she could take, such as amending the ordinance to allow personal service establishments.

Mr. Fletcher agreed that it was a very complicated situation because of the non-conforming dwelling issue. Even if Ms. Balca were to get through the zoning issues of this matter, there are still the building code issues of living and working within one building.

Mrs. Turner added that personal service establishments are not permitted within this zoning district. If the commercial building next door to Ms. Balca wanted to open up as a massage therapist the answer would be no, because they are not permitted within the industrial zoning classification. That is why the ordinance would need to be amended; to make personal service establishments a permitted use within the M-1.

Ms. Balca said she understands, and if she lived in a neighborhood she would not want people coming in and out of the neighborhood all day. In this specific situation, there are people in and out of the area all the time. I am just looking for the legal way to make this happen.

Mr. Fletcher said we can definitely help Ms. Balca craft something to present to the Planning Commission.

Mr. Chenault said this use is not totally out of character with the other uses and zoning classifications in the area.

Mrs. Turner asked if this house was on a lot to itself.

Mr. Fletcher replied yes, it is a small ranch house, surrounded by driveways.

Mr. Chenault said JMU owns behind this house.

Ms. Balca replied yes, they lease everything around the house, but the grass.

Mr. Baugh said I would be reluctant to allow this use as a home occupation. But, if this were a special use permit that would be reviewed on a case-by-case basis, I would be more open to it.

There was discussion between Ms. Balca and the Planning Commission regarding rezoning or amending the Zoning Ordinance to allow a special use permit for personal service establishments.

Mrs. Turner said this is something that she and her landlord would need to discuss; the landlord may be more agreeable to a special use permit process rather than a rezoning.

Mr. Fletcher said come and talk to staff again and then you would need to go to your landlord to discuss your ideas.

Report of secretary and committees

Mrs. Banks said there is no proactive zoning report for this month. The weather and recent snowfalls have made it difficult to observe violations. We hope to catch-up next month.

Mr. Baugh said at the City Council meeting last night two things came up. The CVS rezoning was approved at the intersection of South High Street and South Avenue. The other item is, if you recall, the Shentel tower at Rockingham Mutual Insurance. This came forward as a special use permit and staff had recommended an ordinance amendment dealing with height and setback at that same hearing. Shentel has found a different location and has withdrawn their request; however, staff would like to move forward with the ordinance amendments. The City attorney has noted that the record does not reflect where a public hearing was held on the ordinance amendments; therefore it will be added as a public hearing for the next City Council meeting.

Other Matters

Mr. Fletcher said to follow-up on the Comprehensive Plan draft, we have made changes to chapters 13 and 14, which we discussed last month. Some of those changes were a short description about the vacancies within shopping centers; I worked with Brian Shull on language for this. Language

discussing wireless and broadband utility services was also added, this was somewhat of an afterthought from the vacancy discussion and we felt it needed to be included. The language more or less encourages some of those services to come to the City. The other item was making it more understandable as to what the Downtown Urban Vision and Values Plan is and stating who wrote it.

The last thing I want to discuss is coming up with any ideas for publicly announcing the Comprehensive Plan. I have a list of locations that we can use and a tentative date of about April 21st to begin public input. This is a list of ideas for advertising – public service announcements on the radio, a TV3 interview with a Commission member, the City Web site, and the City Facebook. The Facebook page would have a link to submit input on a specific topic, such as transportation, land use, neighborhoods, community, education, arts, etc.; then this information would be sent to a specific email account. This link could be open-ended, beginning with the public input meetings, and would be available through August or later. Or it could be subject specific, where we would take input on transportation and land use in April, then on arts and education in May; whatever you would like.

Mrs. Fitzgerald said it may be more useful to have the specific link parallel the public input session you are having.

Mr. Fletcher said we also can do a “blast” email through the past and present Citizens Academy; who can then share the information with others. There are several blogs that we hope to get information out on as well. There is also City span, which we will utilize. Sending notices home through the schools, sending notices out to some of the community organizations so that they can share this in their newsletters. Of course, we will be utilizing the Daily News Record. Are there any other ideas?

Mr. Da’Mes asked to expand on the organizations that you would send notices to and how would you come up with those organizations.

Mr. Fletcher said that is a good question. We could do something like postcard mailers that would be sent to every property within the City.

Mr. Da’Mes said you probably want to narrow that field.

Mrs. Turner said you asked about organizations; there is a list of things like the Rotary, Lions, Realtors Association, and so forth, which we will send a direct mailing to. They can then either announce it at a meeting or put it in their newsletter. Also, the Chamber of Commerce has members that are not just major property owners, but major business owners as well. I do not see us going through land parcels books to select out individual land owners to mail notices to.

Mrs. Fitzgerald asked how many public input sessions are you considering?

Mr. Fletcher said that is up to the Commission.

Mrs. Turner said we still need to hear from Planning Commission if they want to hear them by topics or generally overall.

Mr. Chenault said topic driven can be good. If we do it topic by topic we may end up losing interest. We could perhaps group topics together.

Mrs. Turner asked if everyone was in favor of specific topics for each meeting.

Mrs. Fitzgerald asked if it would be sensible to decide on a number of meetings that would be reasonable and then work backwards to try and figure out what a rational collection of topics would be.

Mr. Fletcher said we also need to decide on what would be our end date for input.

Mr. Chenault suggested two months.

Mr. Fletcher said I was thinking more of being completed in the mid summer. That gives us April, May, June, and July.

Mrs. Turner said I do not know that you want the input time frame to last that long.

Mr. Finks said when you get into the summer such as June and July, people are on vacation.

Mrs. Fitzgerald said it would be difficult to market something that is lasting over that length of time.

Mr. Fletcher said I was envisioning that we would market it from now until we begin in April.

Mrs. Turner said four months is probably too long.

Mr. Chenault said I know we had discussed a summit type of session and I am not opposed to something like that.

Mrs. Fitzgerald said I am not sure how logistically that particular kind of approach would fit with this particular input.

Mr. Da'Mes said the summit format is not a very structured type of process. As for Facebook and blogging input, I personally would much rather answer a survey as opposed to blogging my ideas.

Mrs. Fitzgerald said I thought the electronic way of gather information would be more open ended instead of a survey.

Mr. Fletcher replied my thoughts were open ended; but we can do a survey.

Mrs. Turner said the input would not be part of the blog.

Mr. Fletcher said correct. If you were to place input onto this page, no one else would see it. It would not be posted; it would come directly to us.

Mr. Baugh said last time we really had two rounds of public input. The public input session such as we are discussing here that helps you to craft your ideas. Then there was a public input session once we had a draft together. What I am wondering is, are we going to put this draft out for public input.

Mrs. Turner said are you saying to have public input meetings at the beginning, and then after a draft is done have more of a summit approach on the Comprehensive Plan draft.

Mr. Baugh said last time there was some mechanism where once a draft was in place we put it out for public input. I guess I am thinking that was not a bad idea, but I am not hearing that we are thinking about doing that this time.

Mr. Chenault said I think it is good to have a second round of public input on the final draft. I do not think it would require multiple sessions.

Mr. Fletcher said I have heard a lot of very good ideas; but I do not know which direction we are going at this time.

Mr. Da'Mes said what about my idea of a marketing theme to help attract people, a theme that says "I want to participate." Secondly, what about facilitation, last time I believe you had a facilitator; what are we envisioning now.

Mrs. Fitzgerald said the facilitation was important during the last review because we were starting from scratch.

Mrs. Turner said we, staff, thought that this group would do facilitation as necessary. We need to discuss locations for the public input sessions.

Mrs. Fitzgerald said schools are places where historically someone talks at you, not with you.

Mr. Chenault added there are Simms, the library, and the Recreation Center.

Mr. Fletcher said what if staff comes up with an action plan and we email it to you.

Mrs. Fitzgerald asked if we wanted to do this two tiered as Mr. Baugh suggested. Perhaps get some basic level input and then come back with the draft.

Mr. Baugh said what I was thinking of as a first tier was what we have been discussing the past several months and getting public input on that. Then after we have an actual draft of everything, we put that out there in a public forum type arrangement.

Mrs. Turner summarized what had been discussed. We want to have topic based input sessions, and locations other than just schools.

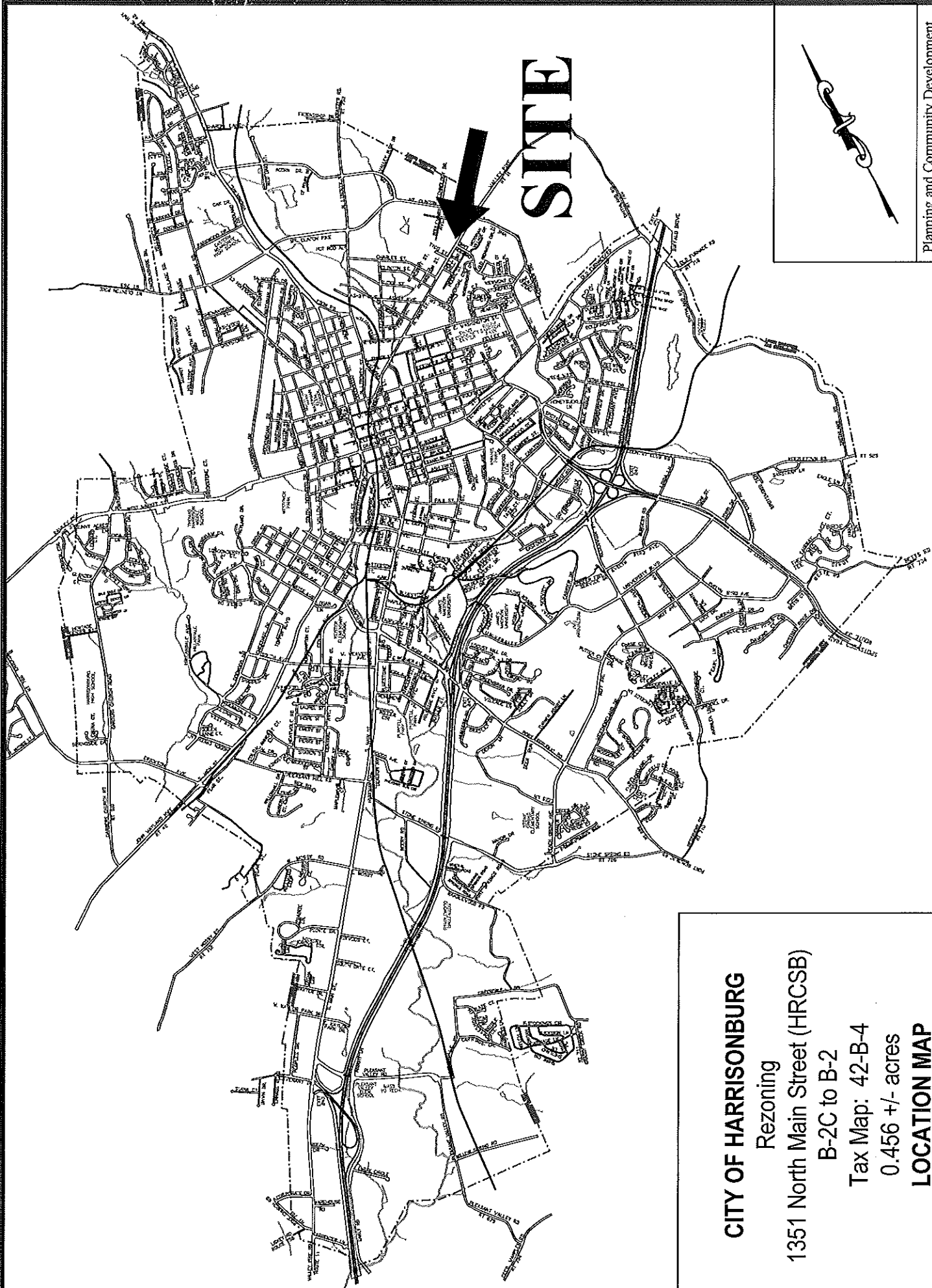
All the Planning Commissioners agreed.

Chairman Jones asked if the Davis, CA, bicycle trip was still on.

Mr. Da'Mes said yes, he is Planning Commission's representative. The trip is March 4th through the 8th. We have been discussing ways we can communicate back the information we gather from this trip, rather than just doing a large presentation.

Adjournment

The meeting was adjourned at 8:45 p.m.



Planning and Community Development
City of Harrisonburg, Virginia

CITY OF HARRISONBURG

Rezoning

1351 North Main Street (HRCBSB)

B-2C to B-2

Tax Map: 42-B-4

0.456 +/- acres

LOCATION MAP



1351 North Main Street (HRC SB) Rezoning B-2C to B-2



City of Harrisonburg, Virginia

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

STAFF REPORT

March 10, 2010

REZONING – 1351 NORTH MAIN STREET (HRCSB)

GENERAL INFORMATION

Applicant: Harrisonburg-Rockingham Community Services Board
Tax Map: 42-B-4
Acreage: 0.46 +/- acres
Location: 1351 North Main Street
Request: Public hearing to consider a request to rezone one parcel zoned B-2C, General Business District Conditional by amending existing proffers.

LAND USE, ZONING, AND SITE CHARACTERISTICS

The Comprehensive Plan designates this area as Public / Semi-Public. This designation includes both existing and proposed public and semi-public use. They include lands owned or leased by the Commonwealth of Virginia (except for institutions of higher learning), the federal government, the City of Harrisonburg, and other governmental organizations.

The following land uses are located on and adjacent to the property:

Site: Two-story structure, used as office space, zoned B-2C
North: Dwelling unit, zoned R-2
East: Across North Main Street, non-conforming dwelling unit, zoned M-1 and the Blakely Court townhouse community (under construction), zoned R-4
South: Harrisonburg-Rockingham Community Services Board offices, zoned B-2
West: Parking area serving Harrisonburg Rockingham Community Services Board, zoned B-2

EVALUATION

The Harrisonburg Rockingham Community Services Board (HRCSB) is requesting to amend proffers on their 0.46 +/- acre parcel zoned B-2C, General Business District Conditional. Located along North Main Street, this parcel is one of five properties that make up HRCSB's campus, which totals approximately 4.3 acres. Their four adjacent properties are zoned B-2. The purpose of the rezoning is to remove the existing proffers and to potentially build an additional structure to house a Crisis Stabilization Unit (CSU). In reality, HRCSB has enough property that would allow the construction of an additional building for a CSU use, without going through the rezoning process; however, the desired location for the building would straddle the zoning boundary between their B-2 and B-2C zoned property, and therefore requires the rezoning.

A Crisis Stabilization Unit, or CSU, is a supervised residential program that provides a location for adults to stay for no longer than 15 days, who may be experiencing a mental health crisis. Individuals, who may be in transition to the community, after inpatient psychiatric care, may also take advantage of this program. As noted by HRCSB, the program would be staffed around the clock by trained mental health professionals. The program would not accept individuals who are dangerous or with a primary diagnosis of substance abuse. Additionally, the program would be licensed by the Virginia Department of Behavioral Health and Development Services and would operate in conformity with regulations of the Virginia Department of Medical Assistance Services. The Crisis Stabilization Program is contingent upon available funding; however HRCSB is organizing their efforts to be prepared to move forward with the program.

In 2000, HRCSB successfully rezoned the subject parcel from R-2 to B-2C. Since taking ownership of the property, HRCSB has used the cap cod-style, single family structure for office and business space. The existing proffers specify the 0.46-acre property can only be used for the following:

- Mercantile establishments which promote the show, sale and rental of goods, personal service establishment, and other shops or stores customary to shopping centers and convenience outlets, *excluding* restaurants and night clubs.
- Governmental, business and professional offices and financial institutions.
- Theaters, community rooms, museums and galleries and other places of assembly for the purpose of entertainment or education, including customary recreational and leisure-time activities which are compatible with surrounding uses, but *excluding* movie theaters.
- Religious, education, charitable or benevolent institutional uses which do not provide housing facilities.
- General service or repair shops that do not generate excessive noise, require outside storage or generate truck traffic.
- Radio and television stations and studios or recording studios, *excluding* those having antennae or communications towers.
- Public utilities, public service or public transportation uses or buildings, *excluding* utility generating, purification or treatment plants; water storage tanks; pumping or regulator stations; telephone exchange and transformer or substations.
- Warehousing and other storage facilities with floor area limited to 20,000 square feet, which are contiguous to permitted uses in the B-2 district, *excluding* wholesale or retail warehousing.
- Funeral homes.
- Public and privately owned parking lots and parking garages.
- Accessory buildings and uses customarily incidental to any of the above listed uses.
- Research and development activities which do not cause any more smoke, dust, odor, noise, vibration or danger of explosion than other uses permitted in this district and which involve no more than 15% of the gross floor area in the assembling or processing of products. Any assembling or processing shall only involve products developed on the premises. All services and storage shall be conducted within the principal structure which is to be completely enclosed.
- Plant nurseries and greenhouses provided any outside storage of materials, other than plants, must be screened.
- Public Uses.
- Uses hereafter approved by the Planning Commission upon request of the owner, and uses for which a special use permit is obtained pursuant to the ordinances of the City of Harrisonburg.

- Unless otherwise approved in writing by the Agent, no improvements hereafter constructed on the property shall exceed three stories or 40 feet in height.

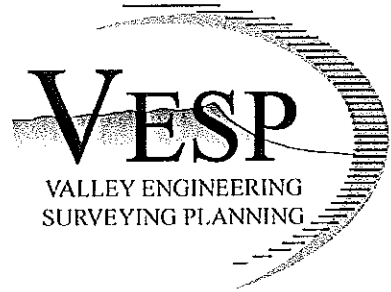
If approved, all uses as specified in the B-2 district would be permitted.

As mentioned above, the purpose of the application is to rezone the 0.46-acre property by removing the existing proffers. This is necessary as the existing proffers do not permit hotels, motels and similar transient accommodations, which is how the CSU use would be categorized. Although not proffered, HRCSB's plan is to maintain the single family structure and to remove the property boundaries to make way for the CSU building. This structure would be built directly behind the existing cap cod building and would be two stories—slightly lower in height than their adjacent main office building. No additional parking is planned or is necessary as HRCSB currently exceeds their parking requirements.

HRCSB has submitted one proffer with their application, which includes erecting a privacy fence that would extend from the front, right corner of the existing single family structure, and then turn northwestward and ultimately connect with the privacy fence that already stands on their property. (An illustration depicting the fence's location is provided within your packet.)

Although the adjoining property to the north is used and zoned residentially, staff does not believe there would be negative impacts to this property, and therefore has no concerns with this application. As already mentioned, if the rezoning were denied, HRCSB could still build the planned building and utilize it in a different manner and/or relocate the building several feet to the west and continue with their plans for the CSU use. The proffered privacy fence should help buffer the planned building and use from the residential property to the north while also providing solitude for those receiving help from HRCSB. Furthermore, other than the HRCSB-owned properties, which are designated public/semi public by the Comprehensive Plan, the surrounding properties are designated as Commercial, and therefore this application is in conformance with the City's long term plans.

Staff supports a favorable recommendation to amend the proffers on this B-2C property.



February 8, 2010

City of Harrisonburg, Virginia
Department of Community Development
409 S. Main Street
Harrisonburg, VA 22801

Reference: Rezoning Request for TM 42-(B)-4

To whom it may concern,

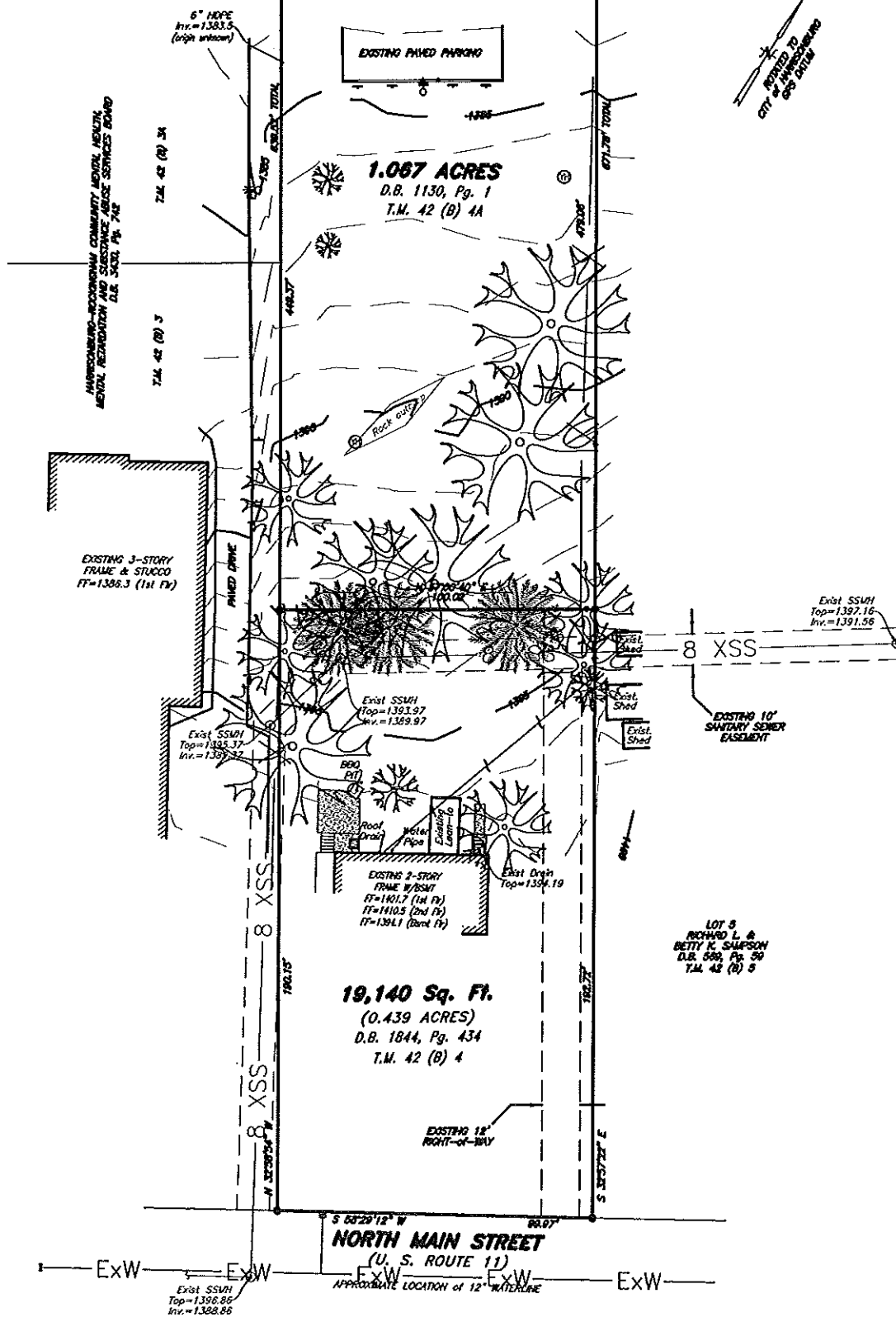
The Harrisonburg-Rockingham Community Services Board (HRCSB) is requesting the rezoning of TM 42-(B)-4, from B-2C to B-2, to allow for a two-story building that will house future HRCSB office space and a Crisis Stabilization Unit. The Crisis Stabilization Unit will operate as a licensed residential program providing transient housing (up to 15 days) and therapeutic supports for individuals experiencing a mental health crisis. Existing conditions on the parcel's zoning will not allow for such use, which is why the rezoning is necessary for the project to move forward.

As a representative for the HRCSB during this rezoning request, I encourage you to forward me any questions or concerns that may arise during review of the attached materials.

Sincerely,
Valley Engineering • Surveying • Planning

Seth Roderick, PE
Director of Planning & Transportation

SCALE: 1" = 50'



EXPANDER No: 1669-1 JOB No: 9702-5

FEBRUARY 5, 2010



COMMUNITY SERVICE BOARD HARRISONBURG, VIRGINIA



HARRISONBURG-ROCKINGHAM Community Services Board

March 3, 2010

Mr. Kurt Hodgen
City Municipal Building
345 S. Main St.
Harrisonburg, VA 22801

Reference: HRCSB, Rezoning Request for Tax Map # 42-(B)-4 – Proffered Condition

Dear Mr. Hodgen,

This letter is to serve as notice of a proffered condition for the requested rezoning of the referenced property, located on the northwestern side of N Main Street (Route 11), approximately 0.17 miles southwest of the City limits. As you are aware, it has been requested to rezone this parcel from its present zoning of B2-C to that of B2-C with different conditions. The Harrisonburg-Rockingham Community Services Board hereby proffers that the development of the subject property (on this letter and referenced application for rezoning) shall be in strict accordance with the following condition:

- 1) Upon development of site and prior to issuance of any Certificate of Occupancy, owner shall construct a privacy fence along northeastern property line, extending southeastward from the northwest corner of property (at terminus of existing privacy fence) before turning perpendicularly southwestward and terminating at the northeast corner of existing two-story building (in substantial conformance to the alignment shown on attached layout). Privacy fence shall be constructed in substantial conformance to the materials, height, and appearance of the existing fence to which it will adjoin.

Sincerely,



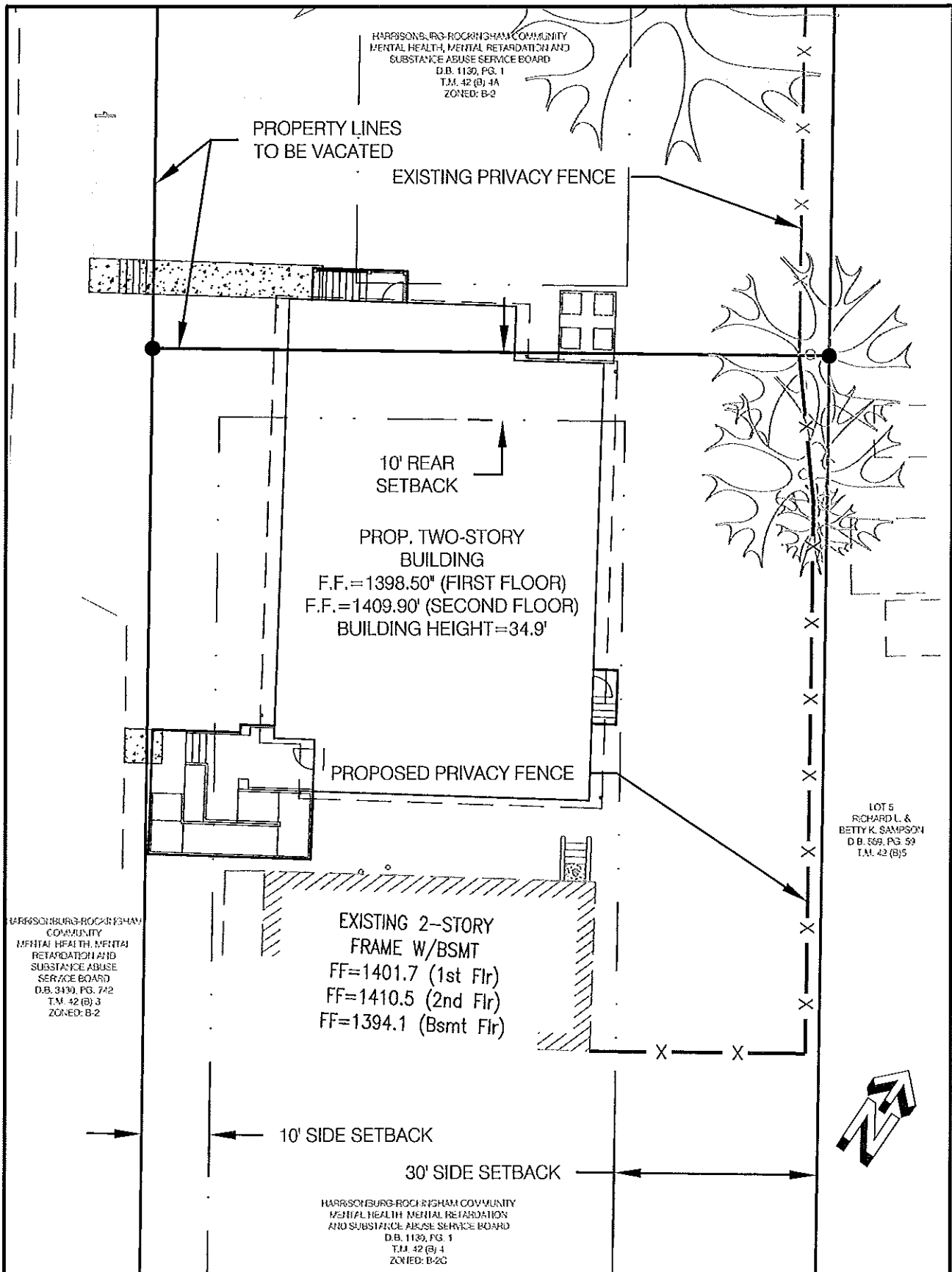
Lacy T. Whitmore, Jr.
Executive Director
Harrisonburg-Rockingham Community Services Board

Attachment, as noted

1241 North Main Street
Harrisonburg, VA 22802

Lacy T. Whitmore, Jr., Executive Director
Phone 540-434-1941, Fax 540-434-1791

*Providing Behavioral Health and Developmental Services
to Citizens of the City of Harrisonburg and Rockingham County*



PROJECT No. 9702-5	EXPANDER No. 1669-1	VALLEY Engineering - Surveying - Planning 3231 PEOPLES DRIVE HARRISONBURG, VIRGINIA 22601 TELEPHONE (540) 434-6365 OR (800) 343-6365 FAX (540) 432-0685	HARRISONBURG-ROCKINGHAM COMMUNITY SERVICES BOARD HARRISONBURG, VIRGINIA	PRIVACY FENCE LAYOUT
SCALE: 1"=20'	DATE: 3/3/10			
REVISION: 3/3/10	DATE: 3/3/10			
SHEET 1 OF 1				

HARRISONBURG-ROCKINGHAM COMMUNITY
MENTAL HEALTH, MENTAL RETARDATION AND
SUBSTANCE ABUSE SERVICE BOARD
D.B. 3430, PG. 742
T.M. 42 (B) 3A
ZONED: B-2

HARRISONBURG-ROCKINGHAM COMMUNITY
MENTAL HEALTH, MENTAL RETARDATION AND
SUBSTANCE ABUSE SERVICE BOARD
D.B. 3430, PG. 742
T.M. 42 (B) 3
ZONED: B-2

HARRISONBURG-ROCKINGHAM COMMUNITY
MENTAL HEALTH, MENTAL RETARDATION AND
SUBSTANCE ABUSE SERVICE BOARD
D.B. 1130, PG. 1
T.M. 42 (B) 4A
ZONED: B-2



EXISTING 3-STORY
FRAME & STUCCO
FF=1388.3 (1st Flr)

PROPERTY LINE
TO BE VACATED

EX. SSVH
Top=1395.37
Inv. 1389.37

5' SIDEWALK

10' SIDE SETBACK

EXISTING 2-STORY
FRAME W/BSMT
FF=1401.7 (1st Flr)
FF=1410.5 (2nd Flr)
FF=1394.1 (Bsm't Flr)

HARRISONBURG-ROCKINGHAM COMMUNITY
MENTAL HEALTH, MENTAL RETARDATION AND
SUBSTANCE ABUSE SERVICE BOARD
D.B. 1130, PG. 1
T.M. 42 (B) 4
ZONED: B-2C

30' FRONT SETBACK

NORTH MAIN STREET
(U. S. ROUTE 11)

APPROXIMATE LOCATION OF 12" WATERLINE

APPROXIMATE LOCATION OF
EXISTING FIRE HYDRANT

PROP. 20" SANITARY
SEWER EASEMENT

10' SIDE SETBACK

10' REAR
SETBACK

PROP. TWO-STORY
BUILDING
F.F.=1398.50' (FIRST FLOOR)
F.F.=1409.90' (SECOND FLOOR)
BUILDING HEIGHT=34.9'

CONCRETE PAD
4" THICK WITH 4"x4" WWM
ON 4" #21/2" STONE BASE
(REFER TO MECHANICAL DRAWINGS)

ELECTRICAL SECONDARY SERVICE ENTRANCE CONDUITS. REFER TO THE TWO
WAY ELECTRICAL CONDUIT DETAIL ON SHEET E4.01 AND THE ELECTRICAL
POWER RISER DIAGRAM ON SHEET E5.01 FOR MORE INFORMATION.

EX. SSVH
Top=1397.16
Inv. 1391.56

EX. 10" SANITARY
SEWER EASEMENT

CONTRACTOR TO DIG A TRENCH AS REQUIRED BY THE POWER COMPANY
FOR RELOCATION OF REMOVED OVERHEAD SERVICE. POWER COMPANY
TO PROVIDE NEW UNDERGROUND WIRE AND CONDUIT. CONTRACTOR
ONLY RESPONSIBLE FOR DIGGING NEW TRENCH.
(SEE ELECTRICAL DRAWINGS FOR DETAILS).

217.60 LF OF 1.5" WATER LINE
COPPER, TYPE K

30' SIDE SETBACK

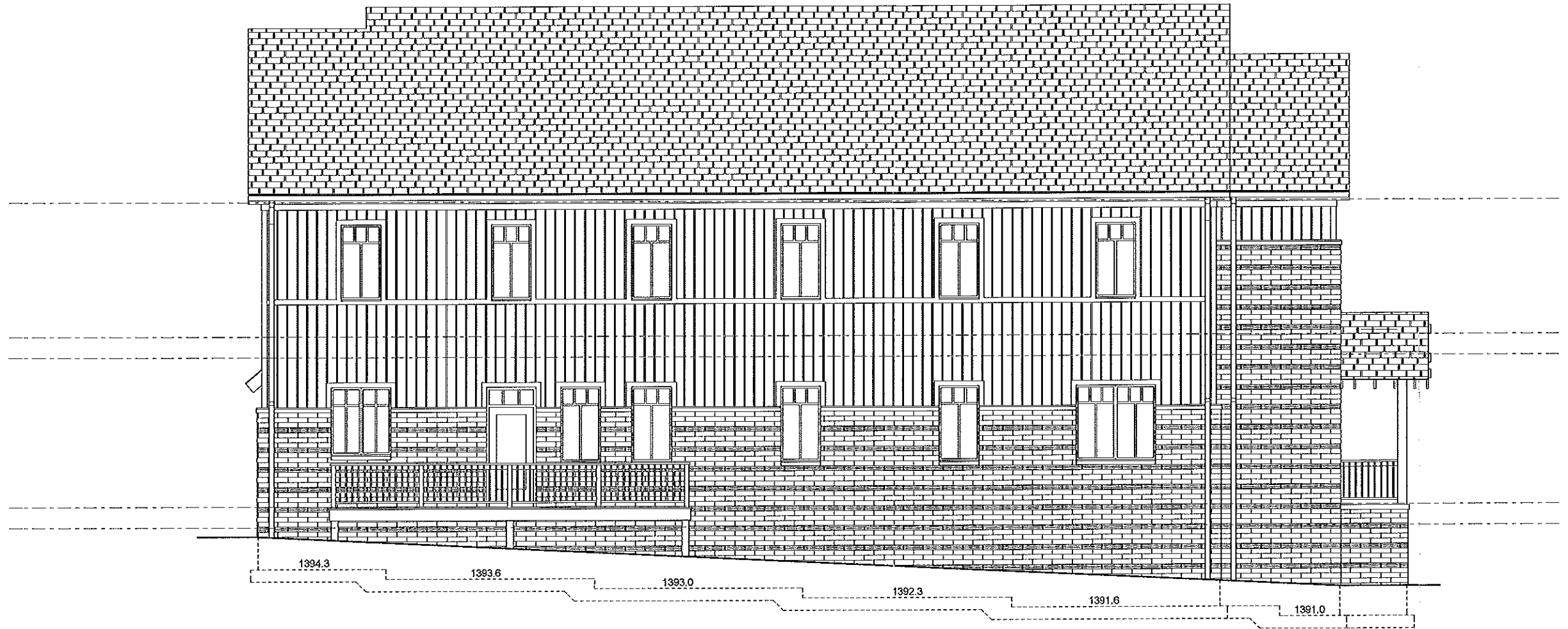
NOTE:
MAINTAIN TRAFFIC FLOW DURING WATER LATERAL
CONSTRUCTION. ALL SIGNAGE AND LANE SHIFTS SHALL
BE IN ACCORDANCE TO THE LATEST EDITIONS OF THE
MANUAL FOR UNIFORM TRAFFIC CONTROL DEVICES AND
THE VDOT WORK AREA PROTECTION MANUAL.



1" EQUALS 20' SETTING

1.5" CORP. STOP



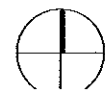


1 NORTH ELEVATION
A2.3 SCALE: 1/4" = 1'-0"

ALL IDEAS, DESIGNS, AND PLANS INDICATED OR REPRESENTED BY THE DRAWINGS ARE THE PROPERTY OF BLUE RIDGE DESIGN STUDIO, PC AND ARE CREATED AND DEVELOPED FOR USE IN CONNECTION WITH THE SPECIFIC PROJECT. NONE OF THE IDEAS, DESIGNS OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WITHOUT THE WRITTEN PERMISSION OF BLUE RIDGE DESIGN STUDIO, PC.

WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND SHALL NOTIFY BLUE RIDGE DESIGN STUDIO, PC OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN IN THESE DRAWINGS. IF THERE ARE ANY DISCREPANCIES BETWEEN THE DIMENSIONS AND CONDITIONS SHOWN IN THESE DRAWINGS, THE DIMENSIONS SHALL TAKE PRECEDENCE.

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01/11/10

PROGRESS DRAWINGS

blue ridge
design
studio
61 s. main street
hauk building
suite 200
harrisonburg, va. 22801

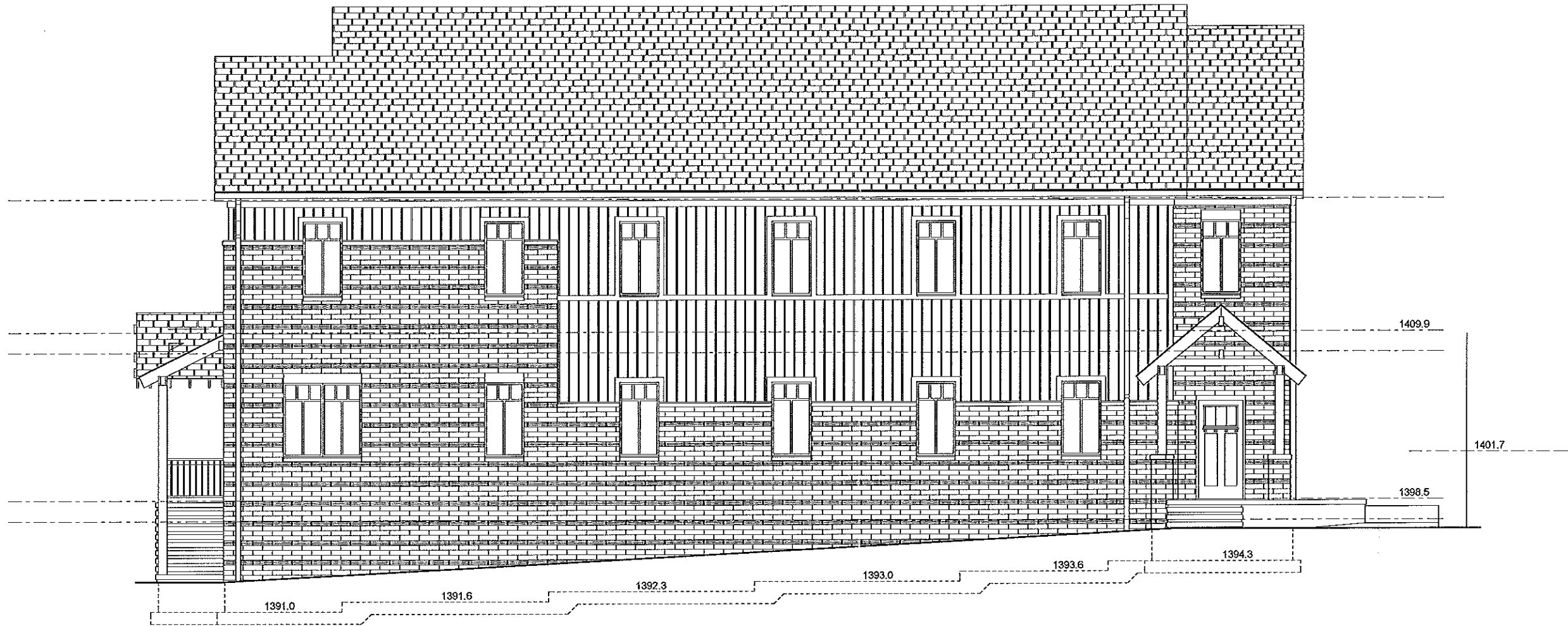
COMMUNITY SERVICES BOARD- CSC
N. MAIN ST
HARRISONBURG
VA 22802

PRELIMINARY

PROJ NO: 09-105

A2.3

NORTH ELEVATION



1 SOUTH ELEVATION
A2.1 SCALE: 1/4" = 1'-0"

blue ridge
design studio
61 s. main street
houck building
suite 200
harrisonburg, va. 22801

COMMUNITY SERVICES BOARD- CSC
N. MAIN ST
HARRISONBURG
VA 22802

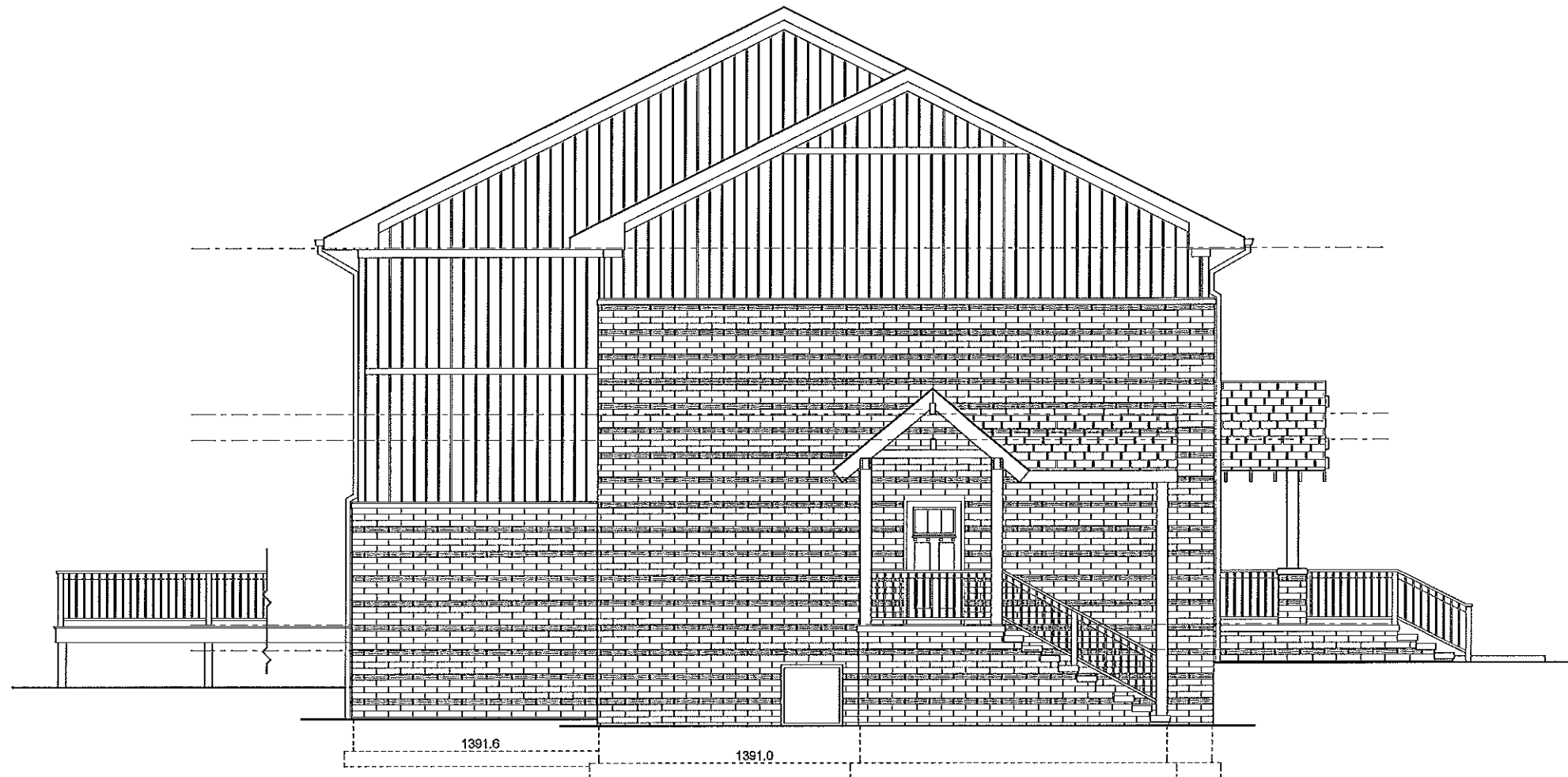
PRELIMINARY

PROJ NO: 09-105

A2.1
SOUTH ELEVATION

ALL IDEAS, DESIGNS, AND PLANS INDICATED OR REPRESENTED BY THE DRAWINGS ARE THE PROPERTY OF BLUE RIDGE DESIGN STUDIO, PC AND ARE CREATED AND DEVELOPED FOR USE IN CONNECTION WITH THE SPECIFIC PROJECT. NONE OF THE IDEAS, DESIGNS OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WITHOUT THE WRITTEN PERMISSION OF BLUE RIDGE DESIGN STUDIO, PC. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND SHALL NOTIFY BLUE RIDGE DESIGN STUDIO, PC OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN IN THESE DRAWINGS. IF THERE ARE DISCREPANCIES BETWEEN ANY ELECTRONIC FILES AND THE ORIGINAL, THE SCALED DRAWING SHALL GOVERN.

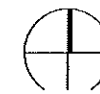
0		
	01/11/10	PROGRESS DRAWINGS



1 WEST ELEVATION
A2.4 SCALE: 1/4" = 1'-0"

ALL IDEAS, DESIGNS, AND PLANS INDICATED OR REPRESENTED BY THE DRAWINGS ARE THE PROPERTY OF BLUE RIDGE DESIGN STUDIO, PC AND ARE CREATED AND DEVELOPED FOR USE IN CONNECTION WITH THE SPECIFIC PROJECT. NONE OF THE IDEA, DESIGNS OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WITHOUT THE WRITTEN PERMISSION OF BLUE RIDGE DESIGN STUDIO, PC. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND SHALL NOTIFY BLUE RIDGE DESIGN STUDIO, PC OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN IN THESE DRAWINGS. IF THERE ARE DISCREPANCIES BETWEEN ANY ELECTRONIC FILES AND THE ORIGINAL, THE SEALED ORIGINAL SHALL GOVERN.

0



01/11/10

PROGRESS DRAWINGS

blue ridge
design
studio
61 s. main street
houck building
suite 200
harrisonburg, va. 22801

COMMUNITY SERVICES BOARD- CSC

N. MAIN ST
HARRISONBURG
VA

22802

PRELIMINARY

PROJ NO: 09-105

A2.4

WEST ELEVATION

Date Application Received: 02-09-10

Total Paid: \$350.00 AF

Application for Change of Zoning District City of Harrisonburg, Virginia

Section 1: Property Owner's Information

Name: Harrisonburg-Rockingham Community Services Board (Contact: Lacy Whitmore)
Street Address: 1241 North Main Street Email: lwhitm@hrcsb.org
City/State/Zip: Harrisonburg, VA 22802
Telephone (work): 434-1941 (home or cellular): _____ (fax): _____

Section 2: Owner's Representative Information

Name: Valley Engineering Surveying Planning (Contact: Seth Roderick)
Street Address: 3231 Peoples Drive Email: sroderick@valleyesp.com
City/State/Zip: Harrisonburg, VA 22801
Telephone (work): 434-6365 (home or cellular): _____ (fax): _____

Section 3: Description of Property

Location (street address): 1351 North Main Street
Tax Map Number: Sheet: 42 Block: B Lot: 4 Total Land Area (acres or square feet): 0.456 AC
Existing Zoning District: B-2C Proposed Zoning District * : B-2
Existing Comprehensive Plan Designation: Commercial

**If applying for conditional rezoning, provide a letter stating proffers on separate sheet of paper*

Section 4: Application Fee

\$325.00 plus \$25.00 per acre, and if applicable, Fees for a Traffic Impact Analysis (TIA) Review (see below)

- (a). Would the development from this rezoning require a Traffic Impact Analysis by VDOT?
Yes _____ No ✓

If yes, then fees must be made payable to VDOT to cover costs associated with the TIA review.

PLEASE NOTE – *If a TIA is required, this application shall not be considered accepted until the TIA has been reviewed.*

- (b). Would the development from this rezoning require a Traffic Impact Analysis review by the City?
Yes _____ No ✓

If yes, then an additional \$1,000.00 must be made payable to the City to cover costs associated with the TIA review.

PLEASE NOTE – *If a TIA is required, this application shall not be considered accepted until the TIA has been reviewed.*

Section 5: Names and Addresses of Adjacent Property Owners (Use separate sheet for additional names)

North: See Attached
East: _____
South: _____
West: _____

Section 6: Certification

I certify that the information contained herein is true and accurate. Signature: _____

Property Owner

See Back for Items Required for Submission

Adjacent Property Owners

NORTH

TM# 42-B-4A

Harrisonburg-Rockingham
Community Services Board
1241 North Main Street
Zone: B-2

SOUTH

TM# 42-D-19

A.B. Mchone & Sons, LLC
1256 North Main Street
Zone: M-1

TM# 42-D-19

A.B. Mchone & Sons, LLC
1256 North Main Street
Zone: R-4

TM# 42-D-20

Robaba, LLC
1242 North Main Street
Zone: R-4

EAST

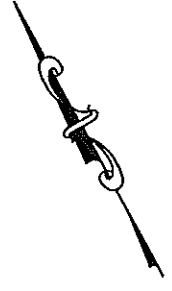
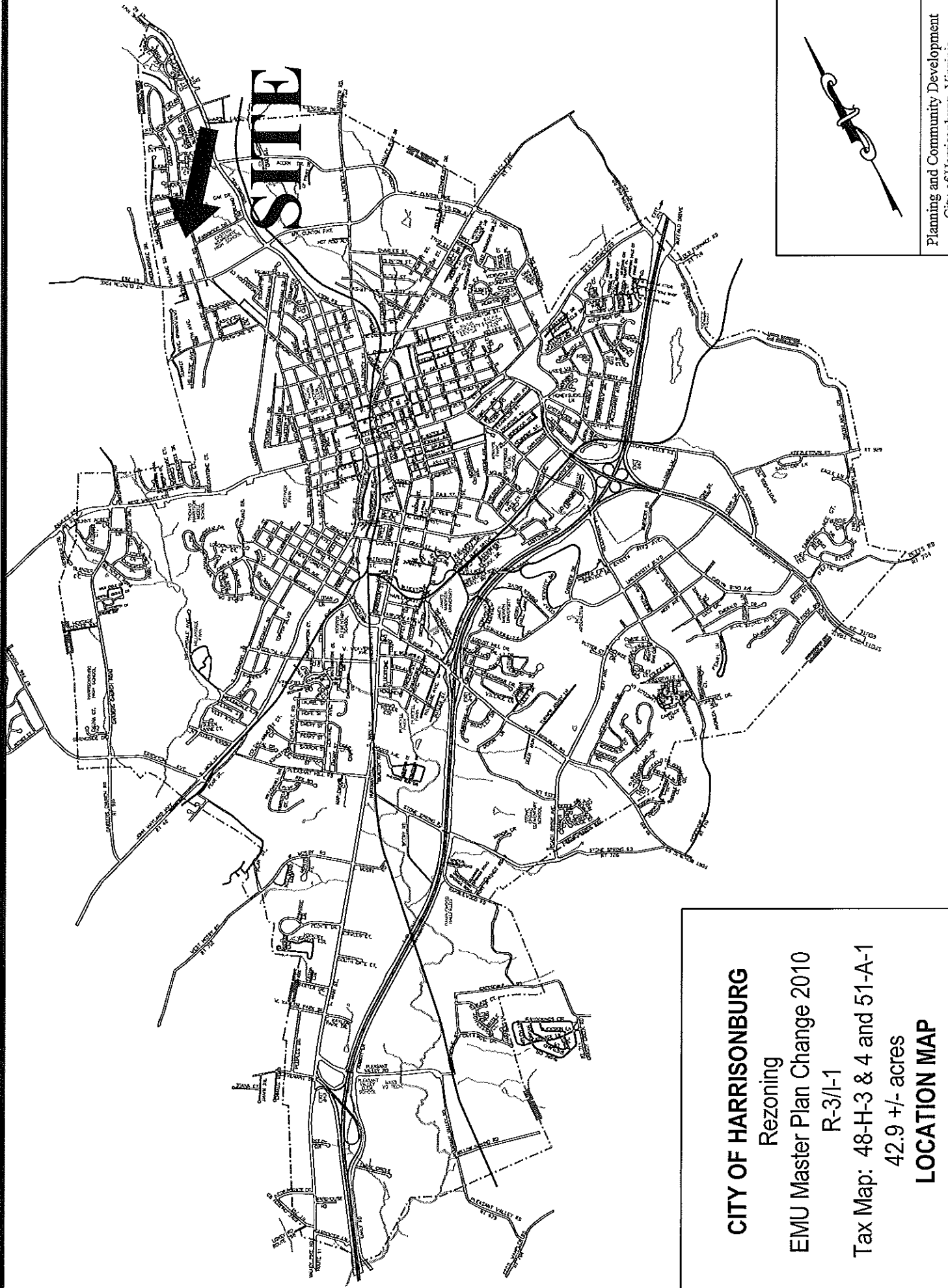
TM# 42-B-5

Richard L. & Betty Sampson
1361 North Main Street
Zone: R-2

WEST

TM# 42-B-3

Harrisonburg-Rockingham
Community Mental Health
1241 North Main Street
Zone: B-2



Planning and Community Development
City of Harrisonburg, Virginia

CITY OF HARRISONBURG

Rezoning

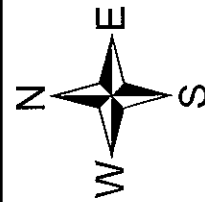
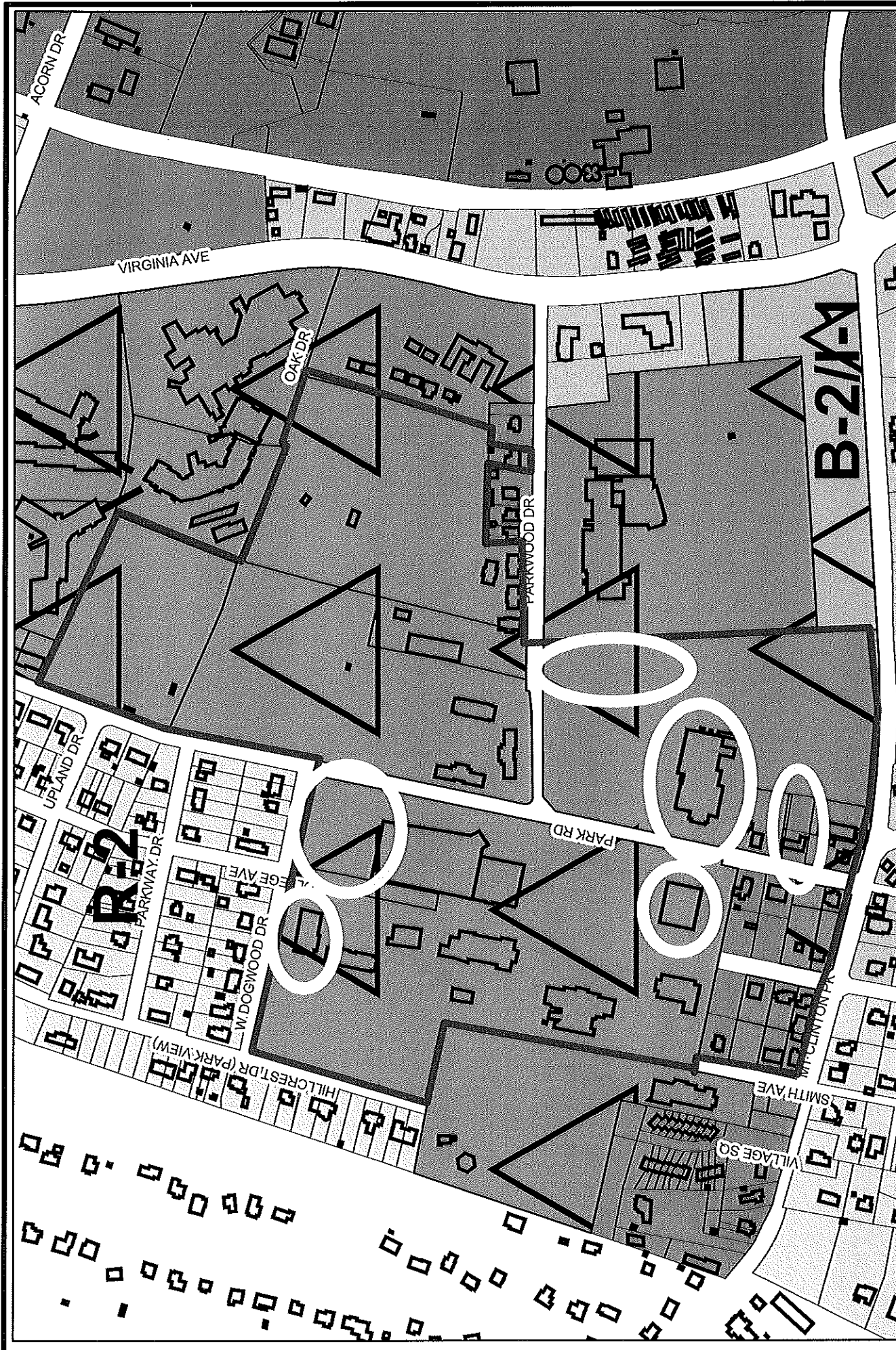
EMU Master Plan Change 2010

R-3/I-1

Tax Map: 48-H-3 & 4 and 51-A-1

42.9 +/- acres

LOCATION MAP



EMU Master Plan Change 2010



City of Harrisonburg, Virginia

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

STAFF REPORT

March 10, 2010

REZONING – EASTERN MENNONITE UNIVERSITY MASTER PLAN CHANGE 2010

GENERAL INFORMATION

Applicant: Eastern Mennonite University, with representatives, Ron Piper and Ed Blackwell
Tax Map: 48-H-3 & 4 and 51-A-1
Acreage: 42.9 +/- acres
Location: 1200, 1110, and 1194 Park Road
Request: Public hearing to consider a request from Eastern Mennonite University to rezone 42.9 +/- acres of their property zoned R-3, Multiple Dwelling Residential District and I-1, Institutional Overlay District by amending their master plan.

LAND USE, ZONING, AND SITE CHARACTERISTICS

The Comprehensive Plan designates this area as Institutional. These lands are designated for development by certain nonprofit and public institutional uses such as colleges and universities, hospitals, offices of nonprofit organizations, community assembly uses and institutions which provide for the shelter and care of people.

The following land uses are located on and adjacent to the property:

Site: Educational, recreational and residential buildings, parking lots, and common area associated with the University, zoned R-3 / I-1
North: Park View neighborhood, zoned R-2
East: Eastern Mennonite High School, zoned R-3 / I-1
South: Across Mount Clinton Pike, commercial uses, zoned B-2 and residential uses, zoned R-2
West: Village Square townhouses and residential uses, zoned R-3

EVALUATION

Eastern Mennonite University (EMU) is requesting to make modifications to their master plan, which was originally approved in 1998. During the original proposal EMU illustrated their existing campus layout and depicted where additions to building and parking lots were planned. The I-1, Institutional Overlay District requires master plan approval, which permits flexibility with setbacks, building heights, and parking regulations. Over the past twelve years several buildings and parking lots have been constructed in compliance with the approved plan. The proposed amendments to the master plan include illustrating where the university would like to incorporate structures that would provide energy from solar panels, making modifications to maximum building height, relocating building additions, and to incorporate new property into the plan. EMU consists of several parcels, totaling 91.89 acres,

which are bound by Mount Clinton Pike, Dogwood Drive, Virginia Mennonite Retirement Community, and Eastern Mennonite High School. This amendment only takes into account a 42.9 +/- acre portion of the EMU campus, those parcels of the campus which are directly south and west of Parkwood Road.

EMU recently re-examined the 1998 master plan to see if it needed updating in order to reflect the ever changing conditions that affect the school and campus. One area that EMU saw as a priority for the overall campus was to include the implementation and use of green technology; therefore, the first change is to install renewable energy solar panels at four locations within the EMU campus. These panels would provide energy from solar cells which in turn would be utilized by EMU. All equipment associated with the solar panels would be interiorly housed. The four locations are:

- Hartzler Library roof top
- University Commons parking lot
- Hillside Dormitory roof top
- Turf field parking lot (future)

Each roof top panel attaches directly to the roof and would vary between two and twelve inches in height depending on the roof and slope. The Hillside roof panels would actually be lower than the existing roof and would only be along the southern portion of the building. The Hartzler Library panels would have a southward facing slope and would not exceed five feet above the current building height of 40 feet. Thus, the overall building height for the library would be no greater than 45 feet.

The parking lot panels would rest on carport style support structures and vary in height from 8 ½ to 20 feet. This allows for vehicles to park underneath the panel structure. The support columns would be located such that all existing parking spaces are retained. The panels would run parallel with parking stalls and the 20 foot minimum drive aisles would remain open for vehicular access; therefore, the parking lots would remain usable. The solar panels proposed for the University Commons parking lot would maintain a five foot setback from the property line with Dogwood Drive. The five feet is from the edge of the actual panel and not the support structure, which would sit further back from the property line. On the 1998 master plan, the narrative proposed a landscape buffer, at a minimum of ten feet in width, consisting of suitable trees and / or shrubs, along the perimeter (adjacent to any public street), of the parking lot serving the University Commons. This landscape buffer is currently in place and would remain; however, the panels would over-hang the buffer by five feet. The turf parking lot is planned for future construction and the solar panels designed for this parking lot would be similar in design to the University Commons panels but would have a setback of 24 feet from the property line with Eastern Mennonite High School.

Two other changes are proposed with this amendment. A 30,000 square foot addition to the Suter Science Center, originally designed for the north and eastern sides of the building in 1998, is now planned along the south side. This addition is shown on the proposed amendment as crossing over a property line to the south. A subdivision to vacate the line would need to be completed prior to construction of the addition. The final change is the addition of a parcel into the I-1 overlay district. The house and property at 1110 Park Road were acquired by EMU after approval of the 1998 master plan and the applicant desires to incorporate them into the plan. The dwelling is currently being used for housing.

Harrisonburg Electric Commission has been in conversation with EMU regarding the solar panel project and from their standpoint there should not be any problems with the solar usage and interconnection.

In reviewing the Plan, it should be noted that this is a review of the development concept only and that each campus facility would require separate approval to insure compliance with building codes and with the City's design and construction standards.

Staff is supportive of the 2010 master plan amendment. The submitted changes are in keeping with the intentions of the I-1 district and staff does not foresee negative impacts to the surrounding neighborhood. Staff welcomes EMU's plan to incorporate green infrastructure and hopes it encourages similar technology in our area.

Eastern Mennonite University

Master Plan Narrative

February, 2010

The attached Master Plan of Eastern Mennonite University is being submitted for review and approval under Section 10-3-106, "Master Plan Requirements". This narrative follows the guidelines of Section 10-3-106, Items 1-4. Note:

Item 1:

The total highlighted property shown in the attached Master Plan, under the control and ownership of Eastern Mennonite University, consists of 93.6 acres. This does not include all property owned by Eastern Mennonite University, as there are other parcels not a part of the institutional overlay zone. Generally, this property (denoted in the Master Plan legend as 'EMU owned property') is described as follows:

Multiple parcels bound by Mt Clinton Pike, Park Road, and Dogwood Drive totaling	41.1 acres.
Multiple parcels South of Mt Clinton Pike totaling	1.1 acres.
Multiple parcels bound by Mt Clinton Pike, Park Road, Parkwood Drive, and Eastern Mennonite High School totaling	18.0 acres.
Multiple parcels bound by Parkwood Drive, Park Road, and the Virginia Mennonite Retirement Community totaling	<u>33.4 acres.</u>
TOTAL:	93.6 acres

Within the property, Smith Street, College Avenue and Park Road are all dedicated public streets. Please refer to the attached Master Plan.

Item 2:

The locations of the existing and the proposed buildings are illustrated on the attached Master Plan. Their respective uses and other data are as follows:

Existing Facilities:

1. Academic Facilities: Suter Science Center, Seminary, Astral Hall, Hartzler Library, Art Center, Theater Facility (University Commons) plus some classrooms in the Campus Center.
2. Housing Facilities: Northlawn, Roselawn, Hillside, Elmwood, Maplewood, and Cedarwood Dormitories, Martin House, Redmond House, Parkwood Apartments, Village Apartments and Mt. Clinton Pike Apartments
3. Assembly Facility: Lehman Auditorium
4. Recreation Facility: University Commons which includes a gymnasium
5. Student Services: Campus Center, Bookstore and Student Center (University Commons), Discipleship Center, The Cabin
6. Administrative Offices: Campus Center
7. Maintenance: Physical Plant Building
8. Miscellaneous Support Services: Suter, Blosser, Lehman, Guest, Heatwole, Brunk and Anderson Houses.
9. Stormwater Management: Three detention ponds all located on the east side of campus.

Proposed Facilities:

1. Proposed Welcome Center: Currently shown at the northeast corner of Mt. Clinton Pike and College Ave., a proposed academic/welcome center is to be a two story facility of 5,000 square feet per floor for a total of 10,000 square feet.
2. Proposed Academic Building (College Avenue): An academic building up to 10,000 square feet per floor is proposed to be constructed and located at the west corner of Mt. Clinton Pike and College Ave.
3. Proposed Academic Building (Smith Avenue): An academic building up to 25,000 square feet per floor is proposed to be constructed and located to the west of Northlawn Dormitory.
4. Proposed Lehman Auditorium Addition: The existing Lehman Auditorium is proposed to be expanded to the east with a one story addition of 10,000 to 15,000 square feet.
5. Proposed Hartzler Library Addition: The existing Hartzler Library is proposed to be expanded with a three story addition of 18,000 to 20,000 square feet.
6. Northlawn Dormitory Addition: A proposed kitchen and dining addition to the east side of Northlawn Dormitory is to be a one story addition of 10,000 to 15,000 square feet.
7. Suter Science Center Addition: The Science Department and the University have decided on a proposed addition to the south side of the existing Suter Science Center. The total three story square footage addition is expected to be up to 30,000 square feet.
8. Solar Panels: Four locations are proposed for the installation of solar panels. These panels will be constructed similar to the manufacturers' documentation as attached. The

energy provide from the solar cells will be utilized by EMU. The four locations are shown on the attached Master Plan drawing and are described as follows:

- a. Hartzler Library roof panels: The roof top of the existing Hartzler Library will serve as the first location for a multi-panel array of solar cells. These panels (or tiles) vary in height from 2” at the front of the panel to about 12” at the rear of the panel. A structural engineer is currently designing the mounting system, but it is planned for these panels to be installed directly on the roof deck. These panels will add no more than 5 feet to the current roof height and therefore increase the overall height of Hartzler Library to no more than 45 feet.
 - b. University Commons parking lot: The parking lot north of the University Commons will serve as a second location for a multi-panel array of solar cells. These panels will rest on a carport style support structure, allowing the current parking lot to remain in use. The cars park underneath the panels, enabling no loss in the number of parking spaces. These panels (or tiles) vary in height from 8.5 to 10 feet in the front to 14 to 16 feet at the rear of the panel. The support columns are spaced 18 feet on center. These solar arrays will run parallel with and above the current parking stalls, leaving a 20 foot minimum drive aisles open for vehicular access. The solar panels arrayed adjacent to Dogwood Drive will maintain a 5 foot minimum setback with the property line. Since the solar panels are elevated, the 10 foot landscape buffer shall still be maintained.
 - c. Hillside roof panels: A portion of the south facing roof of the existing Hillside dormitory will serve as the third location for a multi-panel array of solar cells. These panels attach directly to the roof and will be about 2 to 4 inches tall. The panels will be installed on the lower level roof only and therefore not increase the overall height of the building.
 - d. Future Turf-field parking lot: The future parking lot just east of the existing turf-recreation field is planned for a fourth location for a multi-panel array of solar cells. These panels are similar in concept as the University Commons parking lot where no loss in the number of parking spaces will occur. These panels will setback a minimum of 24 feet from the property line with EMHS in order to allow for a two-way access drive as part of a future parking lot.
9. Institutional Overlay addition: Eastern Mennonite University proposes to add 1110 Park Road (TM: 48-H-2, 48-H-3) into the institutional overlay district. The square footage area is approximately 19,244 square feet.

Item 3:

Existing and proposed parking is illustrated in the attached Master Plan. Because of the current campus configuration, new parking may not occur at the new buildings or additions, but be accommodated at another location on the campus. Parking areas will be landscaped with appropriate trees and shrubs in compliance with City Ordinances. The current master plan for existing and future parking is showing 1,690 spaces. University officials have deemed this number of spaces to be adequate for their current planned needs. If additional parking is needed in the future, existing open areas may be utilized upon an amendment to the Master Plan.

The existing vehicular access to the campus will remain the same. There are currently eight points from adjacent public streets: two from Park Road, two from Mt. Clinton Pike, one from Smith Street, one from College Avenue, one from Dogwood Drive, and from Parkwood Drive. It is not anticipated that the additional facilities will place a significant additional burden on the adjacent vehicular system.

Item 4:

The general use of major existing and proposed open space on site will be used for:

- Landscaping
- Recreation
- stormwater detention
- pathways
- woodlands
- green space

The proposed Welcome Center is currently situated approximately 65 feet from the property line on College Avenue, and approximately 80 feet off Mt. Clinton Pike.

The future Academic Building-South will be placed approximately 20 feet off the property line on College Avenue, and approximately 90 feet off Mt. Clinton Pike.

The future Academic Building-North will be placed approximately 517 feet from the Park Road right-of-way.

The proposed Lehman Auditorium Addition will be situated east of the existing facility approximately 365 feet from the Park Road right-of-way.

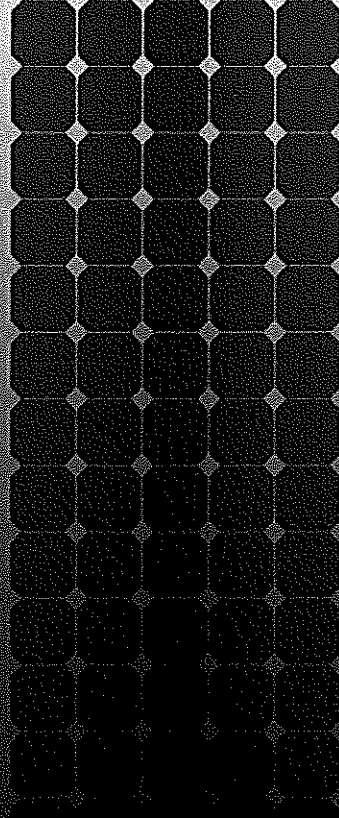
The proposed Hartzler Library Addition will be situated south of the facility approximately 110 feet from the Park Road right-of-way.

The proposed Kitchen/Dining Addition at Northlawn Dormitory will be situated approximately 365 feet from the Park Road right-of-way.

The proposed Suter Science Center Addition will be approximately 425 feet from the east property line, shared with Eastern Mennonite High School.

It is understood that this submission is for Master Plan review and approval only, and that each individual project will require its own approval according to the provisions of the City's development regulations. Furthermore, it is acknowledged that there is limited capacity for adequate fire flow and domestic water delivery in this area and improvements necessary to meet these requirements will be determined during the design and review of specific building proposals, or as part of a broader water system analysis, as appropriate.

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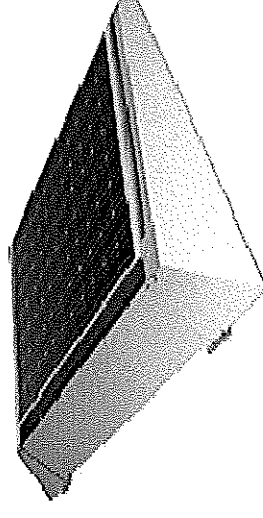
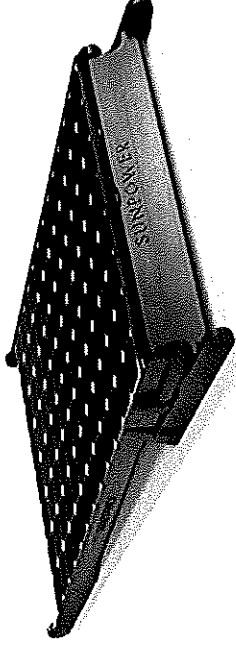
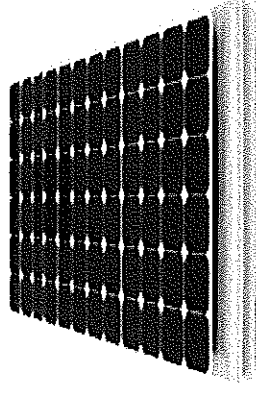
SunPower – Best Technology

Benefits of T5, T10, PowerGuard

What is value of SunPower's commercial roof products unique attributes?

- High power density
- Light weight designs
- Minimal pieces & interlocking
- Faster to install & uninstall
- Compatible with high winds
- Non-penetrating / self-ballasted

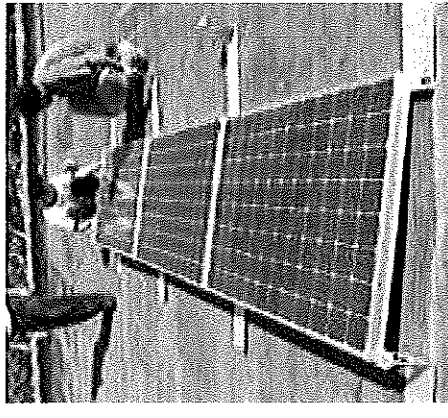
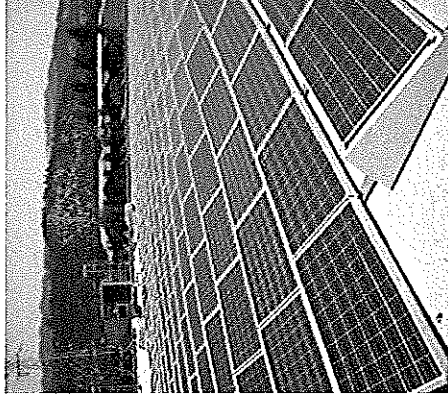
→ Value of avoiding leaks
→ Value of insulation (PowerGuard)
→ Value of roof preservation



SUNPOWER™

T10 Solar Roof Tile

- Patented next-generation commercial roofing system
- 10 degree slope
- No roof penetrations
- Accessible walkways
- Rated wind speed: 120 mph
- Ultra lightweight: 2.1 lb/ft²
- Fast-install system

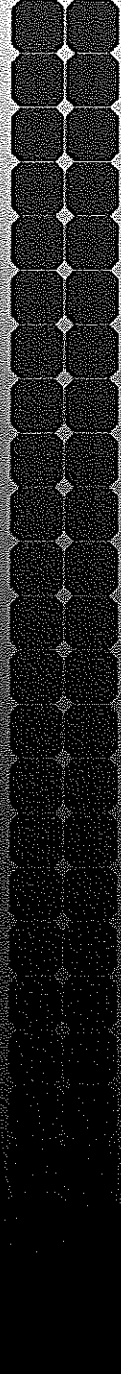


SUNPOWER™

Installed T10 System – Wal-Mart Chino

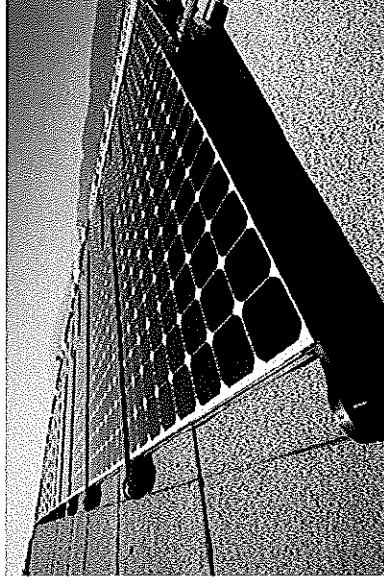
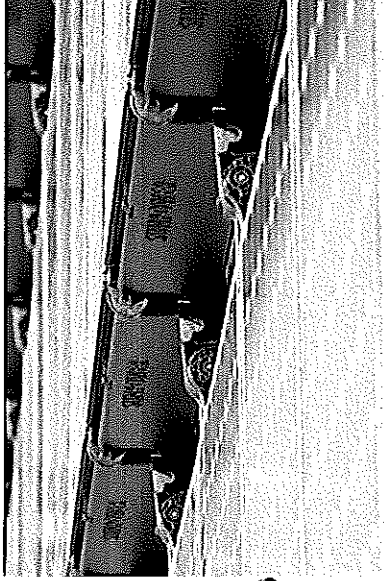
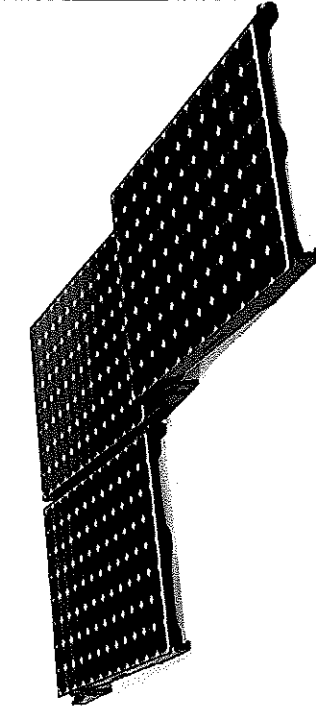


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SunPower T5 Solar Roof Tile

Benefits



Pre-engineered all-in-one solution

Product video: [View Now](#)

- 1 Highest efficiency panels tilted at 5°
- 2 Easy to install, all-in-one design
- 3 Panel and mounting combined into one
- 4 No roof penetration
- 5 No grounding required, due to smooth polymer material
- 5 Durable, lightweight, aerodynamic

SUNPOWER™

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T5 SOLAR ROOF TILE

SIMPLE INSTALLATION & GREATEST ENERGY OUTPUT

BENEFITS

The Most Energy per Rooftop

Produces more energy in an area- or weight-constrained space than any other roof system available today

Easy to Install with All-In-One Design

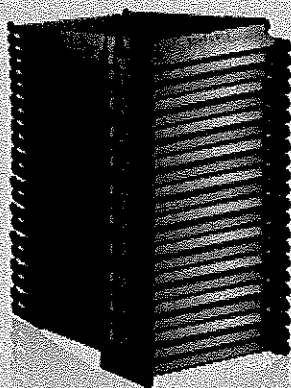
Solar panel, frame, and mounting system are integrated into one unit. No grounding or roof penetration needed

Roof-Preserving

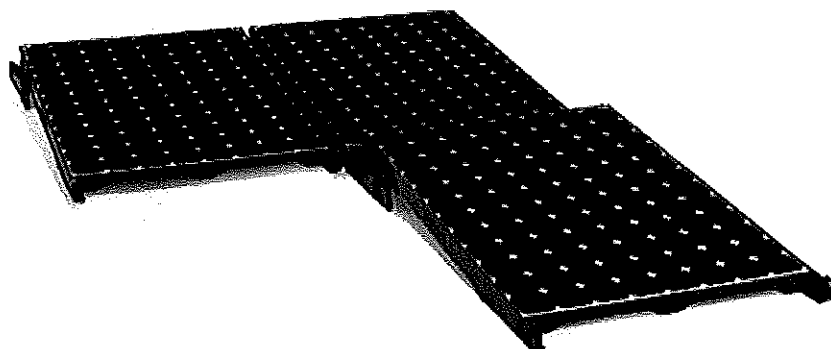
Compatible with all roof membranes. Smooth, lightweight design, combined with a non-penetrating installation, protects the roof and preserves roof warranties

Long Lasting Durability

Aerodynamic design is resistant to high winds. Strong glass-filled polymer material offers long-term durability. Soiling is minimized with easy water runoff



ships nested in pallets



The SunPower™ T5 Solar Roof Tile is the most powerful solution for area- or weight-constrained flat rooftops. The T5 is the first photovoltaic roof product to combine solar panel, frame, and mounting system into a single pre-engineered unit. The nonpenetrating tiles position SunPower highest efficiency solar panels at a 5-degree tilt, for greatest energy production.

Tiles interlock for secure, rapid installation and maximum power output. Smooth-edged, durable and lightweight polymer material designed for a 30-year life protects the roof and eliminates the need for electrical grounding. The patented design resists high winds and corrosion and is flexible to adapt to virtually any flat or low-slope roof.

Highlights

Solar Laminates	305	315
Peak Watts / ft² (m²) [array]	14.59 (157)	15.25 (164.2)
Average Array Weight, lbs/ft² (kg/m²)	2.18 (10.64)	
Wind Resistance, mph (kph)	120 (193)	

About SunPower

SunPower designs, manufactures and delivers high-performance solar electric technology worldwide. Our high-efficiency solar cells generate up to 50% more power than conventional solar cells. Our high-performance solar panels, roof tiles and trackers deliver significantly more energy than competing systems.

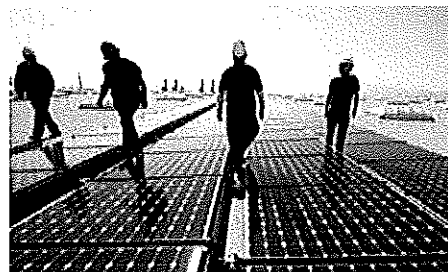
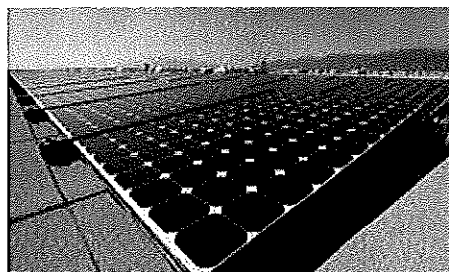
SUNPOWER™ T5 SOLAR ROOF TILE



SUNPOWER™

T5 SOLAR ROOF TILE

EXCEPTIONAL EFFICIENCY & PERFORMANCE



Electrical Data

Measured at Standard Test Conditions (STC): Irradiance 1000W/m², AM 1.5, and cell temperature 25° C

Peak Power *	P _{max}	305 W (±5%)	315 W (+5% / -3%)
Rated Voltage	V _{mpp}	54.7 V	54.7 V
Rated Current	I _{mpp}	5.58 A	5.76 A
Open Circuit Voltage	V _{oc}	64.2 V	64.6 V
Short Circuit Current	I _{sc}	5.96 A	6.14 A
Maximum System Voltage	UL	600 V	
Temperature Coefficients	Power Voltage (V _{oc}) Current (I _{sc})	-0.38% / K -176.6 mV / K 3.5 mA / K	
NOCT		45° C +/-2° C	
Series Fuse Rating		15 A	

Mechanical Data

Solar Laminate	SunPower™ 305 Solar Laminate, or SunPower 315 Solar Laminate
Solar Cells	96 SunPower all-back contact monocrystalline
Front Glass	SunPower 305 Solar Laminate: High transmission tempered glass SunPower 315 Solar Laminate: High transmission tempered glass with anti-reflective (AR) coating
Junction Box	IP-65 rated with 3 bypass diodes, 32 x 155 x 128 (mm)
Output Cables	1000 mm length cables / MultiContact (MC4) connectors
Frame	Polymer material with fiber reinforcement, PPE+PS
Tile Weight	47 lbs (21.3 kg)
Roof Coverage	85% N-S

Tested Operating Conditions

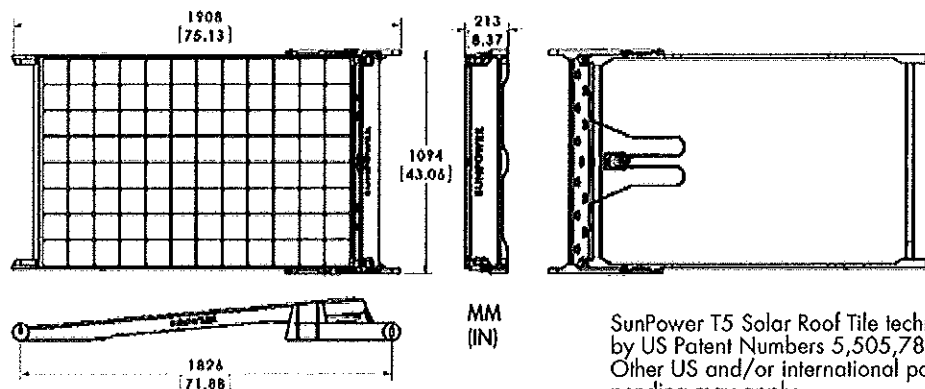
Temperature	-40° F to +185° F (-40° C to +85° C)
Max load	50 psf 245kg/m ² (2400 Pa) front and back – e.g. wind
Impact Resistance	Hail 1 in (25 mm) at 52mph (23 m/s)

*Other laminates may be available upon request

Warranties and Certifications

Warranty	25-year limited power warranty 10-year limited product warranty
Certifications	CSA listed (Tested to UL 1703), Class C Fire Rating
Built in the USA. Complies with the "Buy American" clause of The American Recovery and Reinvestment Act of 2009.	

Dimensions



SunPower T5 Solar Roof Tile technology is protected by US Patent Numbers 5,505,788 and RE 38,988. Other US and/or international patents issued or pending may apply.

CAUTION: READ SAFETY AND INSTALLATION INSTRUCTIONS BEFORE USING THE PRODUCT.

Visit sunpowercorp.com for details

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Document # 001-53716 Rev A/ITR_EN

SUNPOWER™

T10 SOLAR ROOF TILE

TILTED FOR HIGHER ENERGY OUTPUT

BENEFITS

Optimized Energy Output

Higher energy delivery due to 10 degree tilt and sunlight reflectors

Non-Penetrating

Modular solar tiles are easy to install without mechanical roof attachments

Deploys Rapidly

Large-scale solar arrays can be installed efficiently and commissioned quickly

Integrates Seamlessly

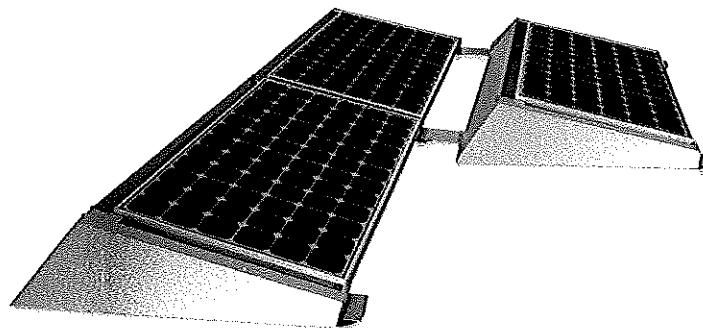
Low-profile design blends into flat roof and flat ground sites, while operating within existing electrical network

Non-Obstructive

Solar tiles will not interfere with roof operations or drainage

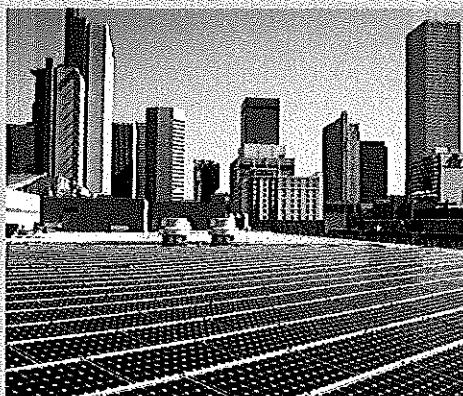
Highly Wind Resistant

Engineered for aerodynamic stability means no roof attachments in typical wind zones



The SunPower™ T10 Solar Roof Tile is pre-engineered to tilt at a 10-degree angle and enhance energy capture.

These non-penetrating roof tiles interlock for secure, rapid installation. Made of durable, lightweight materials, the patented design resists high winds and corrosion and is uniquely flexible to adapt to the size and requirements of virtually any flat rooftop and select ground sites.



Highlights

Solar Panels	305	230
Peak Watts / ft² (m²) [array]	11.64 (125.31)	10.48 (112.77)
Average Array Weight, lbs/ft² (kg/m²)	2.52 (27.13)	2.12 (22.78)
Wind Resistance, mph (kph)	120 (193)	

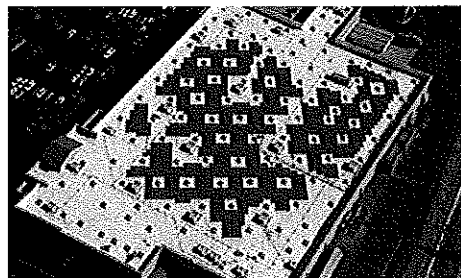
About SunPower

SunPower designs, manufactures and delivers high-performance solar electric technology worldwide. Our high-efficiency solar cells generate up to 50% more power than conventional solar cells. Our high-performance solar panels, roof tiles and trackers deliver significantly more energy than competing systems.

SUNPOWER™ T10 SOLAR ROOF TILE

SUNPOWER

T10 SOLAR ROOF TILE TILTED FOR HIGHER ENERGY OUTPUT



Electrical Data

Measured at Standard Test Conditions (STC): Irradiance 1000 W / m², AM 1.5, and cell temperature 25° C

Peak Power (±5%)*	P _{max}	230 W	305 W
Rated Voltage	V _{mpp}	41.0 V	54.7 V
Rated Current	I _{mpp}	5.61 A	5.58 A
Open Circuit Voltage	V _{oc}	48.7 V	64.2 V
Short Circuit Current	I _{sc}	5.99 A	5.96 A
Maximum System Voltage	UL	600 V	600 V
Temperature Coefficients	Power	-0.38% / K	-0.38% / K
	Voltage (V _{oc})	-132.5mV / K	-176.6 mV / K
	Current (I _{sc})	3.5mA / K	3.5 mA / K
NOCT		45° C +/-2° C	45° C +/-2° C
Series Fuse Rating		20 A	15 A

Tested Operating Conditions

Temperature	-40° F to +185° F (-40° C to +85° C)
Max load	SPR-230-WHT and SPR-305-WHT: 50 psf 245kg/m ² (2400 Pa) front and back – e.g. wind SPR-230-WHT: 113 psf 550kg/m ² (5400 Pa) front – e.g. snow
Impact Resistance	Hail 1 in (25 mm) at 52mph (23 m/s)

*Other solar panels may be available upon request

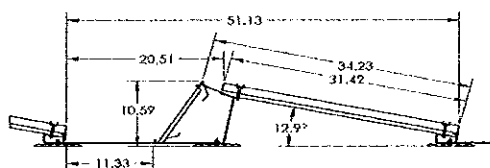
Mechanical Data

Solar Panels	SunPower™ 230 Solar Panels (SPR-230-WHT), or SunPower™ 305 Solar Panels (SPR-305-WHT)
Solar Cells	SPR-230-WHT: 72 allback contact monocrystalline, SPR-305-WHT: 96 allback contact monocrystalline
Front Glass	High transmission tempered glass
Junction Box	IP-65 rated with 3 bypass diodes Dimensions: 32 x 155 x 128 (mm)
Output Cables	1000 mm length cables / MultiContact (MC4) connectors
Solar Panel Frame	SPR-230-WHT: anodized aluminum alloy type 6063, black SPR-305-WHT: anodized aluminum alloy type 6063, silver, stacking pins
Mounting System	Wind deflectors: 24 gauge Galvalume coated steel
	Supports: 5052-H32 Aluminum plate
	Fasteners: 300-series stainless steel Foot pads: EPDM rubber, molded on aluminum plate
Total Weight Per System Tile	SPR-230-WHT: 46.46 lbs (21.07 kg) SPR-305-WHT: 66.03 lbs (29.95 kg)

Warranties and Certifications

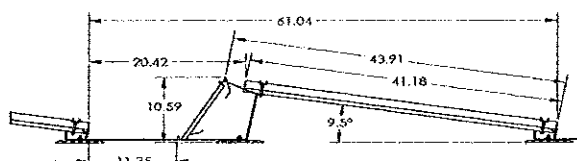
Warranty	25-year limited power warranty 10-year limited product warranty
Certifications	Tested to UL 1703, Class C Fire Rating

Dimensions



SUNPOWER 230

PV GCR: 0.61
SHADING GCR: 0.67
DIMENSION: 51.13 N-S X 62.31 E-W
AREA PER MODULE: 22.1 SQ. FT.



SUNPOWER 305

PV GCR: 0.67
SHADING GCR: 0.72
DIMENSIONS: 61.04 N-S X 62.31 E-W
AREA PER MODULE: 26.4 SQ. FT.

CAUTION: READ SAFETY AND INSTALLATION INSTRUCTIONS BEFORE USING THE PRODUCT.

Visit sunpowercorp.com for details

Donaghy Powers 90% of Its Facility & Saves \$250,000 a Year with SunPower



PROJECT OVERVIEW

Location: Fresno, California

Completed: 2007

Installation Type: Commercial Roof

System Size: 1 Megawatt

PV Surface Area: 175,000 sq ft

Number of Panels: 4,716

Products: SunPower® T10 Solar Roof Tiles

Companies including Anheuser Busch depend on Fresno-based wholesale distributor Donaghy Sales to keep their beverages cold and fresh.

Donaghy, in turn, depends on its utility company to maintain a constant, 43-degree warehouse temperature for its cold storage needs. Rising electricity rates and the risk of peak-demand blackouts in California prompted the company to investigate lower cost solutions, which led them to solar power. Donaghy ultimately contracted with SunPower to design and install their 1 MW solar electric system because of SunPower's proven track record in delivering large-scale solar systems. Today the warehouse distributor's rooftop system powers more than 90 percent of Donaghy's facility and saves the company approximately \$250,000 a year in electricity costs.

BENEFITS

- Powers more than 90% of Donaghy's cold-storage distribution facility
- Saves Donaghy over \$250,000 a year in electricity costs
- Reduces strain and feeds energy back to the utility grid during peak-demand daytime hours
- Will reduce carbon emissions by 12,180 tons over 30 years, equivalent to not driving over 30 million miles.

"SunPower delivered a premier product on time and on budget.

Their professionalism was clear from the outset, and their continued service has enabled a strong partnership. We're very pleased with how our system has performed, and with our impressive financial return."

Ryan Donaghy,
President, Donaghy Sales

DONAGHY TRANSLATES LARGE ROOF INTO LARGE SAVINGS

Hot, sunny climate. Rising electricity rates. Where other food & beverage distributors might see an unpleasant challenge, Donaghy's chief financial officer Scott Tolzmann saw an opportunity. "We had a lot of roof space and large electric bills, and I thought solar power would make good economic sense," Tolzmann said. In 2006, after considering a few solar power companies, Donaghy decided to work with SunPower. "SunPower impressed us most with their ability to perform," Tolzmann said. "They also had the best track record in the industry and the most experience developing bigger systems like ours."



SUNPOWER COMPLETES SOLAR SYSTEM ON TIME, EARNING DONAGHY SIGNIFICANT TAX CREDITS

A long-lasting, low-maintenance system, the 4,716-panel, 1 megawatt T10 solar roof system was completed on time by the end of 2006, allowing Donaghy to claim significant tax benefits. The T10 system is so-named because it tilts at ten degrees, providing a much higher energy output than other, flat rooftop systems.

DONAGHY POWERS MORE THAN 90% OF ITS FACILITY WITH SUNPOWER

Powering more than 90% of Donaghy's facility and saving the company approximately \$250,000 a year, the solar system continues to perform reliably, as expected. In fact, during the common summertime blackouts caused by high energy demands in the Fresno area, Donaghy takes pride in sending surplus solar energy back into the strained grid. "It feels good to be in that position, sending power back instead of contributing to blackouts," Tolzmann said. Tolzmann advises companies to consider all the benefits of solar power—electricity savings, state rebates, and federal tax incentives—as collectively they contribute to making solar a sound and cost-effective investment.

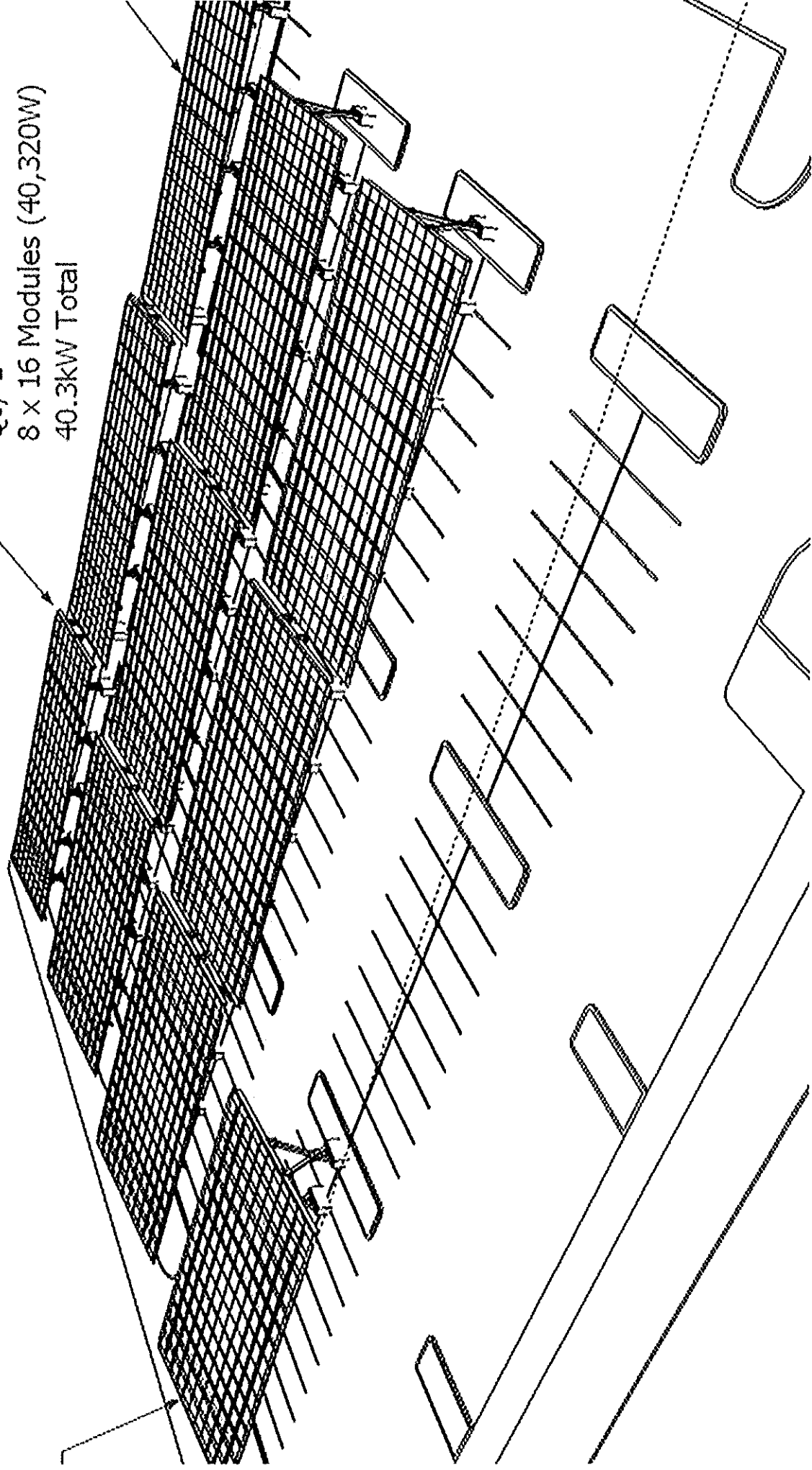
SunPower Corporation
1-866-737-6527
sunpowercorp.com

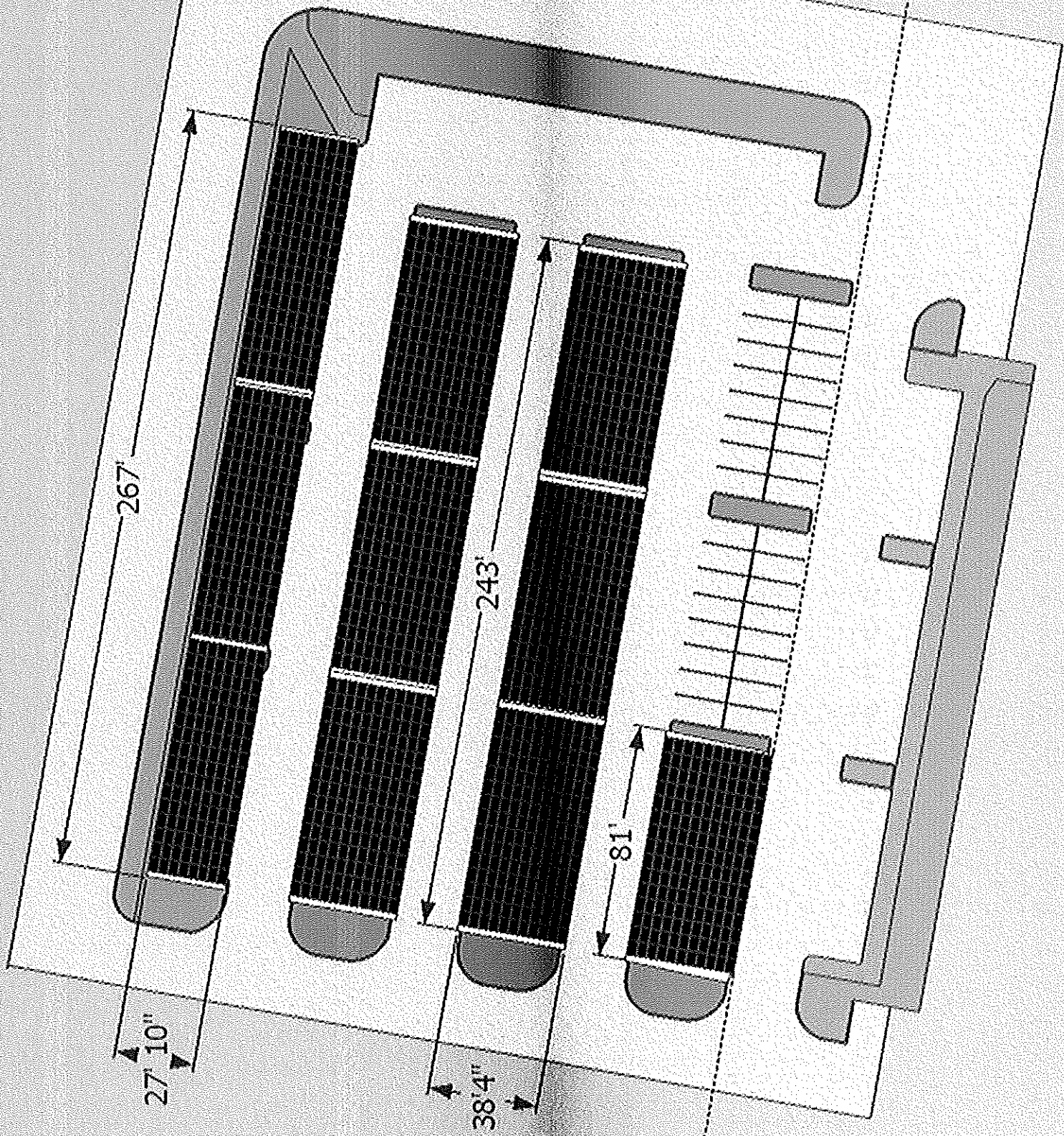
Eastern Mennonite University

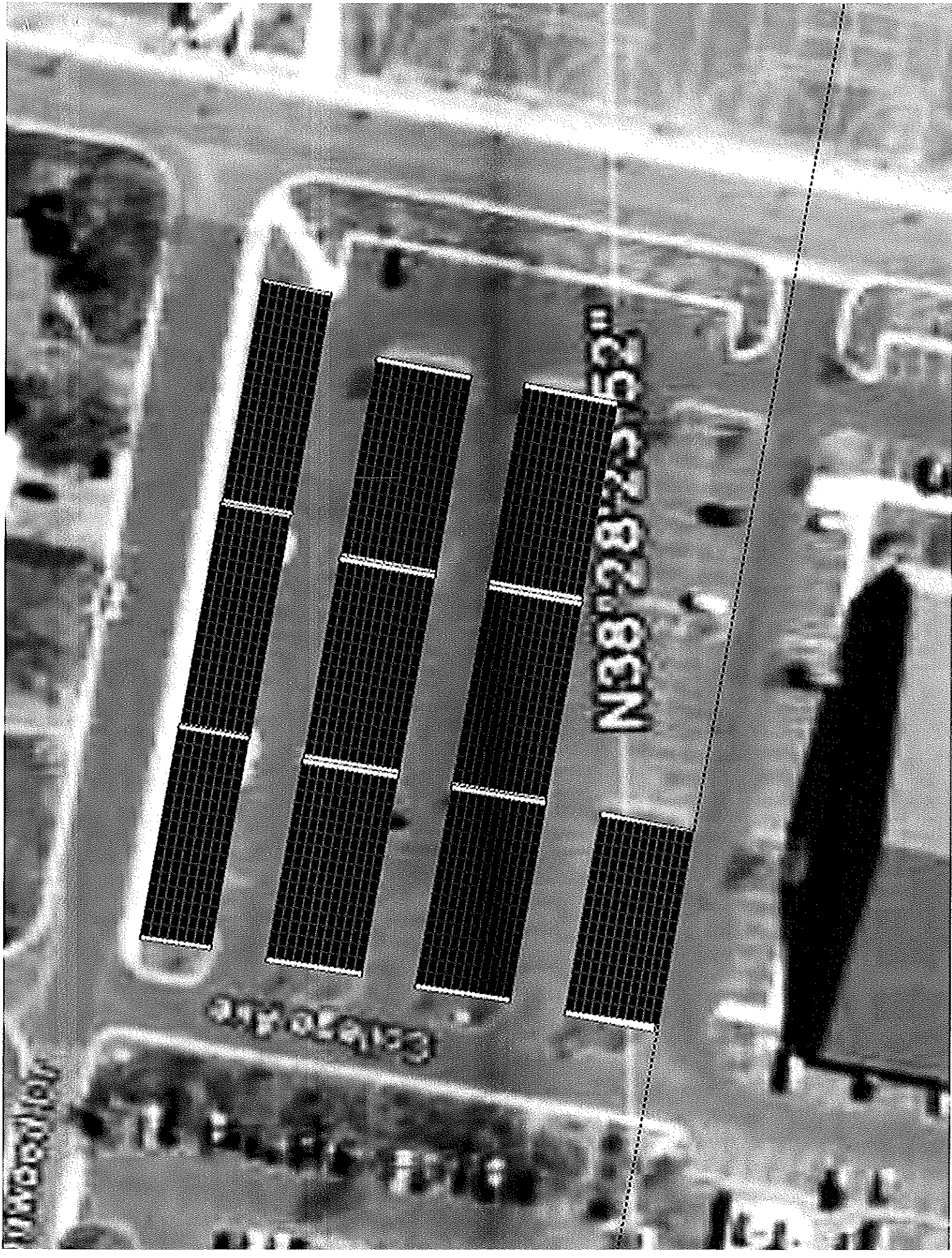
Solar PV Carport Concept

System Size = 490kW
Sunpower 315W

Single Row Canopy
Qty 1
8 x 16 Modules (40,320W)
40.3kW Total







Date Application Received: 02-09-10

Total Paid: \$1,400.00 AF

Application for Change of Zoning District City of Harrisonburg, Virginia

Section 1: Property Owner's Information

Name: Eastern Mennonite University (Attn: Ron Piper)
Street Address: 1200 Park Road Email: _____
City/State/Zip: Harrisonburg, VA 22802
Telephone (work): 540-432-4107 (home or cellular): _____ (fax): 540-432-4444

Section 2: Owner's Representative Information

Name: Blackwell Engineering, PLC (Attn: Ed Blackwell)
Street Address: 566 East Market Street Email: Ed@BlackwellEngineering.com
City/State/Zip: Harrisonburg, VA 22801
Telephone (work): 540-432-9555 (home or cellular): _____ (fax): 540-434-7604

Section 3: Description of Property

Location (street address): 1200 Park Road, 1110 Park Road, 1194 Park Road
Tax Map Number: Sheet: 51 Block: A Lot: 1 Total Land Area (acres or square feet): 42.9 acres
Existing Zoning District: R-3, R-3 Inst. Overlay Proposed Zoning District *: (48-H-3) Inst. Overlay
Existing Comprehensive Plan Designation: Institutional (51-A-1 & 48-H-4) Residential (48-H-3)

**If applying for conditional rezoning, provide a letter stating proffers on separate sheet of paper*

Section 4: Application Fee

\$325.00 plus \$25.00 per acre, and if applicable, Fees for a Traffic Impact Analysis (TIA) Review (see below)

- (a). Would the development from this rezoning require a Traffic Impact Analysis by VDOT?
Yes _____ No X

If yes, then fees must be made payable to VDOT to cover costs associated with the TIA review.

PLEASE NOTE – If a TIA is required, this application shall not be considered accepted until the TIA has been reviewed.

- (b). Would the development from this rezoning require a Traffic Impact Analysis review by the City?
Yes _____ No X

If yes, then an additional \$1,000.00 must be made payable to the City to cover costs associated with the TIA review.

PLEASE NOTE – If a TIA is required, this application shall not be considered accepted until the TIA has been reviewed.

Section 5: Names and Addresses of Adjacent Property Owners (Use separate sheet for additional names)

North: See Attached
East: _____
South: _____
West: _____

Section 6: Certification

I certify that the information contained herein is true and accurate. Signature: _____

Ron E. Piper
VP for Finance
Property Owner
EASTERN MENNONITE UNIVERSITY

See Back for Items Required for Submission

Adjacent Property Owners
BE# 2137 EMU Masterplan - 2010 Update

- A. Tax Map: 51-B-5 6
Owner: Horst, John Lehman & Joan G
Address: 1110 N Dogwood Dr.
Harrisonburg, VA 22802
Zone: R-2
- B. Tax Map: 51-I-10 11
Owner: Miller, Elroy J & Linda E
Address: 764 Erickson Ave
Harrisonburg, VA 22801
Zone: R-2
- C. Tax Map: 51-I-8 9
Owner: Miller, Martin R & Karen B
Address: 1680 Virginia Ave.
Harrisonburg, VA 22802
Zone: R-2
- D. Tax Map: 51-I-6 7
Owner: Himes, Edith L & Himes, Danny Ray, Trustee
Address: 1234 W Dogwood Dr.
Harrisonburg, VA 22802
Zone: R-2
- E. Tax Map: 51-I-4 5
Owner: Burgess, David M. & Ella D
Address: 1254 W. Dogwood Dr.
Harrisonburg, VA 22802
Zone: R-2
- F. Tax Map: 51-I-2
Owner: Isner, Kenneth W. & Elleanor M, Trustee
Address: 1270 W. Dogwood Dr.
Harrisonburg, VA 22802
Zone: R-2

- G. Tax Map: 51-I-1
Owner: Landis, Jay B & Peggy H
Address: 1420 Hillcrest Dr.
Harrisonburg, VA 22802
Zone: R-2
- H. Tax Map: 51-K-13
Owner: Shenk, H. Michael & Margaret B.
Address: 1345 Hillcrest Dr.
Harrisonburg, VA 22802
Zone: R-2
- I. Tax Map: 51-K-8A 9 10
Owner: Kyler, Rinehart E. & Marijke A.
Address: 1333 Hillcrest Dr.
Harrisonburg, VA 22802
Zone: R-2
- J. Tax Map: 51-K-6 7 8
Owner: Miller, Edgar L.
Address: 1325 Hillcrest Dr.
Harrisonburg, VA 22802
Zone: R-2
- K. Tax Map: 51-K-3 4 5
Owner: Hostetter, Alden L. & Louise O.
Address: 1309 Hillcrest Dr.
Harrisonburg, VA 22802
Zone: R-2
- L. Tax Map: 51-K-1 2
Owner: King @ Park View LLC
Address: 4844 16t Street Dr, NE
Hickory, NC 28601-7460
Zone: R-2
- M. Tax Map: 48-B-4
Owner: Maust, Evelyn B, Life Estate
Address: 1160 Smith St
Harrisonburg, VA 22802
Zone: R-3

- N. Tax Map: 48-B-17
Owner: Bumbaugh, Mark W. & Doris S, Life Estate
Address: 111 Park Rd.
Harrisonburg, VA 22802
Zone: R-3
- O. Tax Map: 48-B-18
Owner: Bumbaugh, Mark W. & Doris S, Life Estate
Address: 111 Park Rd.
Harrisonburg, VA 22802
Zone: R-3
- P. Tax Map: 47-P-16
Owner: Christian Light Publications, Inc
Address: 1050 Mt. Clinton Pike
Harrisonburg, VA 22802
Zone: B-2
- Q. Tax Map: 47-P-14
Owner: Christian Light Publications, Inc
Address: 1066 Mt. Clinton Pike
Harrisonburg, VA 22802
Zone: B-2
- R. Tax Map: 47-M-2 3
Owner: Harrisonburg Gift & Thrift Shop Inc
Address: 731 Mt. Clinton Pike
Harrisonburg, VA 22802
Zone: B-2

LEGEND

	CITY-COUNTY LIMITS
	EMU OWNED PROPERTY
	PROPERTY LINES
	EXISTING BUILDING
	PROPOSED ROAD/EOP
	PROPOSED PARKING
	EXISTING ROAD
	EXISTING PARKING
	CURBINGS: CG-2 OR CG-6
	FUTURE PAVEMENT
	GRASS AREA
	EXISTING-BUILDING-ACADEMICS
	EXISTING-BUILDING-RESIDENTIAL
	PROPOSED-BUILDING
	PROPOSED-INSTITUTIONAL OVERLAY ZONE AREA
	EXISTING-RECREATIONAL AREA
	EXISTING-DETENTION POND
	EXISTING-EMU RECREATIONAL FIELD
	PROPOSED-SOLAR PANELS

SITE DESIGN:
 BLACKWELL ENGINEERING
 ATTN: ED BLACKWELL
 566 EAST MARKET STREET
 HARRISONBURG, VA 22801
 540-432-9555

ARCHITECT:
 THE TROYER GROUP
 ATTN: SAM JONES
 550 UNION STREET
 MISHAWAKA, IN 46544
 574-259-9976

OWNER:
 EASTERN MENNONITE UNIVERSITY
 ATTN: RON PIPER
 1200 PARK ROAD
 HARRISONBURG, VA 22801



Date: FEBRUARY 2010
 Scale: 1"=125'
 Designed by: EHB
 Drawn by: EHB
 Checked by: —

BLACKWELL ENGINEERING, PLC
 566 East Market Street
 Harrisonburg, Virginia 22801
 Phone: (540)432-9555 Fax: (540)432-7904
 E-Mail: ed@blackwellengineering.com



Revision	Date

EMU 2010 MASTERPLAN UPDATE

EMU MASTERPLAN
 EASTERN MENNONITE UNIVERSITY
 1200 PARK ROAD
 HARRISONBURG, VA 22801

Drawing No.
MP
 of 1 Sheets

Job No. 2137

NOT TO SCALE



City of Harrisonburg, Virginia

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

STAFF REPORT

March 10, 2010

Staff is proposing modifications to several sections of the Zoning Ordinance for general updates and also to make revisions where word choice and other inaccuracies mislead zoning interpretations. Each modification is described below.

ZONING ORDINANCE AMENDMENT

Section 10-3-5

Section 10-3-5 of the Zoning Ordinance lists the zoning districts that Harrisonburg regulates. The existing list is shown as follows:

R-1	Single-Family Residential District.
R-2	Residential District.
R-3	Multiple Dwelling Residential District.
R-4	Planned Unit Residential District.
R-5	Planned Single-Family Residential District.
MH-1	Manufactured Home Park District.
MH-2	Manufactured Home Subdivision District.
B-1A	Local Business District.
B-1	Central Business District
B-2	General Business District
M-1	General Industrial District
I-1	Institutional Overlay District

As you can see, this list has been out of date for some time as it does not include the U-R or R-P districts, which were added in 2001, and it displays an R-5, Planned Single Family Residential District, which has not been part of the Zoning Ordinance since 1998. Staff would like to update this section to depict the changes made to R-3 and to show the recently adopted districts, which include R-5, R-6, R-7, and the MX-U district. Staff recommends amending this section for the list to appear as follows:

R-1	Single-Family Residential District.
R-2	Residential District.
R-3	Multiple Dwelling Residential District.
R-3	Medium Density Residential District.
R-4	Planned Unit Residential District.
R-5	High Density Residential District.
R-6	Low Density Mixed Residential Planned Community District.
R-7	Medium Density Mixed Residential Planned Community District

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MX-U	Mixed Use Planned Community District
MH-1	Manufactured Home Park District.
MH-2	Manufactured Home Subdivision District.
B-1A	Local Business District.
B-1	Central Business District
B-2	General Business District
M-1	General Industrial District
I-1	Institutional Overlay District
U-R	Urban Residential District
R-P	Residential-Professional District

ZONING ORDINANCE AMENDMENT **Section 10-3-16**

Section 10-3-16 is within Article D, which explains the regulations for site plan reviews. Specifically, 10-3-16 (e) describes the length of time that approved site plans are valid. The existing regulation explains that approved site plans shall expire and become null and void unless a building permit is issued within one year. This section of the Zoning Ordinance has been superseded by the Code of Virginia for several years as the state code specifies that site plans are valid for five years. Staff recommends this section be updated to accurately display the site plan validation period. This section would be modified as shown:

(e) An approved site plan shall expire and be null and void unless a building permit for the construction of the same substantial elements of the site plan has been issued within a period of ~~one year~~ *five years*.

ZONING ORDINANCE AMENDMENT **Section 10-3-25**

Staff would like to make two, very small yet important modifications to Section 10-3-25 (3) of the Zoning Ordinance. This part of the Code defines the requirements for landscaping within parking lots. Currently, this section reads as follows:

(3) Definition of “Landscaping for Parking Lots”: All parking lots for new buildings other than industrial sites requiring more than ten (10) parking spaces shall include well-defined and well maintained landscaped areas equal to at least fifteen (15) percent of the total area to be used for parking, maneuvering and driveways on site. Parking spaces shall be separated from all right-of-way lines and property lines by a landscaped border not less than ten (10) feet in width or appropriate visual elements such as walls or fencing, except along adjoining lot lines which lie within a shared parking arrangement approved by a special use permit allowing for a zero side yard setback. Landscaping interior to the parking area or within a thirty-foot perimeter of the parking area shall be permitted to count towards meeting the fifteen (15) percent requirement. It is required that hardy trees or shrubs which are regional species be planted or saved, and that all plantings and ground cover be either maintained or replaced.

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The amendments would only occur within the first sentence and would include adding two commas. Currently, if one reads the first sentence there is more than one interpretation that can be drawn; however, staff has always interpreted this first sentence to mandate landscaping for parking lots for all developments that require more than 10 parking spaces, except those within industrial sites. For this reason, staff recommends more clearly demonstrating this regulation by placing a comma after the word “buildings” and by placing an additional comma after the word “sites.”

ZONING ORDINANCE AMENDMENT Section 10-3-48.3

Section 10-3-48.3 lists the uses permitted by right within the recently adopted R-3, Medium Density Residential District. Specifically, subsection (10) permits hospitals, convalescent or nursing homes, funeral homes, medical offices and professional offices as defined by article T. Unfortunately, when the R-3 Medium Density district was approved, staff overlooked the wrong article reference. Subsection (10) should reference article “F,” the definitions portion of the Zoning Ordinance and not article “T,” which is the Modifications and Adjustments section. Staff simply recommends changing the article reference from “T” to “F.”

ZONING ORDINANCE AMENDMENT Section 10-3-120

Section 10-3-120 is within Article U, which specifies the procedures and other regulations pertaining to amendments to the Zoning Ordinance. This section specifically grants the Planning Commission the authority to have a rehearing for properties that have been rezoned but have not initiated their plan of development within two years. Section 10-3-120 reads as follows:

Each request for amendment to this chapter, including the zoning map, shall be accompanied by a “plan of development” for the property included in the request, and shall have been reviewed by all applicable city officials before submission to the planning commission. If the application for rezoning is granted following the required public hearing procedure outline in section 10-3-105, the plan of development must be started within a period of two (2) years, and the proposed structure or structures, parking facilities, plantings and other landscaping must follow the plan of development introduced during the rezoning hearing. The planning commission will have a rehearing if the plan of development is not underway within two (2) years.

To staff’s knowledge, this section of the Zoning Ordinance has never been enforced and could arguably be illegal. We further believe this type of regulation is inequitable and burdensome on the property owner. Staff recommends removing this entire regulation and to reserve this section for future use.

ZONING ORDINANCE AMENDMENT Section 10-3-122

Section 10-3-122, found within Article U Amendments and Changes, specifies details regarding rezoning application withdrawals. The text, intentions, and requirements put forth in this section

Draft

are accurate except for the section reference at the end of the paragraph. At this time, Section 10-3-122 reads as follows:

Applications for a change in zoning may be withdrawn from consideration before the first notice of a public hearing thereon has been published and fees refunded if no publication cost is incurred. Application for a change in zoning which are withdrawn after the end of the public hearing shall be considered as denied for the purpose of one-year limitation or reconsideration as provided in section 10-3-107.

The intention of this reference is to refer the reader back to the “Reconsideration of Request,” segment of the Zoning Ordinance, which prior to the 1996 Zoning Ordinance overhaul, was 10-3-107. That section of the Code is now 10-3-121. Staff recommends simply updating this section by removing “10-3-107” and replacing it with the correct “10-3-121” reference.

ZONING ORDINANCE AMENDMENT **Section 10-3-123**

Staff is proposing a third amendment within Article U; this modification falls within Section 10-3-123. Specifically, subsection (i) requires that proffers, approved during a rezoning, be recorded at the office of the Clerk of the Circuit Court within 30 days after approval by City Council. Section 10-3-123 (i) reads as follows:

- (i) *Recordation of proffered conditions.* A certified copy of all ordinances accepting proffered conditions, together with a duly signed copy of the proffer statement, shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court within thirty (30) days of council approval.

Subsection (i) was added in 2001 when staff recommended adding this requirement to the Zoning Ordinance contending that such requirement would help future property owners understand and acknowledge the zoning on their property. Although the intentions of this code were advantageous, the enforcement of this section was inconsistent and never became common practice. Staff believes this requirement is unnecessary and excessive. Staff recommends removing this subsection and requirement from the Zoning Ordinance.

Draft

ORDINANCE AMENDMENTS

**Zoning Ordinance Sections
10-3-5, 10-3-16, 10-3-25,
10-3-48.3, 10-3-120,
10-3-122, 10-3-123**

Draft

ORDINANCE AMENDING AND RE-ENACTING SECTION

10-3-5

OF THE

CODE OF ORDINANCES

CITY OF HARRISONBURG, VIRGINIA

Be it ordained by the Council of the City of Harrisonburg, Virginia:

That Section 10-3-5 be amended as follows:

Section 10-3-5. Establishment of districts.

Amend subsection (a) as shown:

(a) For the purpose of this chapter the City of Harrisonburg is divided into districts as follows:

~~R-1 Single-Family Residential District.~~
~~R-2 Residential District.~~
~~R-3 Multiple Dwelling Residential District.~~
~~R-4 Planned Unit Residential District.~~
~~R-5 Planned Single-Family Residential District.~~
~~MH-1 Manufactured Home Park District.~~
~~MH-2 Manufactured Home Subdivision District.~~
~~B-1A Local Business District.~~
~~B-1 Central Business District~~
~~B-2 General Business District~~
~~M-1 General Industrial District~~
~~I-1 Institutional Overlay District~~

R-1 Single-Family Residential District.
R-2 Residential District.
R-3 Multiple Dwelling Residential District.
R-3 Medium Density Residential District.
R-4 Planned Unit Residential District.
R-5 High Density Residential District.
R-6 Low Density Mixed Residential Planned Community District.
R-7 Medium Density Mixed Residential Planned Community District

Draft

<i>MX-U</i>	<i>Mixed Use Planned Community District</i>
<i>MH-1</i>	<i>Manufactured Home Park District.</i>
<i>MH-2</i>	<i>Manufactured Home Subdivision District.</i>
<i>B-1A</i>	<i>Local Business District.</i>
<i>B-1</i>	<i>Central Business District</i>
<i>B-2</i>	<i>General Business District</i>
<i>M-1</i>	<i>General Industrial District</i>
<i>I-1</i>	<i>Institutional Overlay District</i>
<i>U-R</i>	<i>Urban Residential District</i>
<i>R-P</i>	<i>Residential-Professional District</i>

The remainder of Section 10-3-5 is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the _____ day of _____, 2010.
Adopted and approved this _____ day of _____, 2010.

MAYOR

ATTESTE:

CLERK OF THE COUNCIL

Draft

ORDINANCE AMENDING AND RE-ENACTING SECTION

10-3-16

OF THE

CODE OF ORDINANCES

CITY OF HARRISONBURG, VIRGINIA

**Be it ordained by the Council of the City of
Harrisonburg, Virginia:**

That Section 10-3-16 be amended as follows:

Section 10-3-16. Conditions for site plan review.

Amend subsection (e) as shown:

(e) An approved site plan shall expire and be null and void unless a building permit for the construction of the same substantial elements of the site plan has been issued within a period of ~~one year~~ *five years*.

The remainder of Sections 10-3-16 is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the _____ day of _____, 2010.
Adopted and approved this _____ day of _____, 2010.

MAYOR

ATTESTE:

CLERK OF THE COUNCIL

Draft

ORDINANCE AMENDING AND RE-ENACTING SECTION

10-3-25

OF THE

CODE OF ORDINANCES

CITY OF HARRISONBURG, VIRGINIA

**Be it ordained by the Council of the City of
Harrisonburg, Virginia:**

That Section 10-3-25 be amended as follows:

Section 10-3-25. Off-street parking regulations:

Amend subsection (3) as shown: *(insert two commas into first sentence—after
“buildings” and after “sites”)*

(3) Definition of “Landscaping for Parking Lots”: All parking lots for new buildings, other than industrial sites, requiring more than ten (10) parking spaces shall include well-defined and well maintained landscaped areas equal to at least fifteen (15) percent of the total area to be used for parking, maneuvering and driveways on site. Parking spaces shall be separated from all right-of-way lines and property lines by a landscaped border not less than ten (10) feet in width or appropriate visual elements such as walls or fencing, except along adjoining lot lines which lie within a shared parking arrangement approved by a special use permit allowing for a zero side yard setback. Landscaping interior to the parking area or within a thirty-foot perimeter of the parking area shall be permitted to count towards meeting the fifteen (15) percent requirement. It is required that hardy trees or shrubs which are regional species be planted or saved, and that all plantings and ground cover be either maintained or replaced.

The remainder of Section 10-3-25 is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the _____ day of _____, 2010.
Adopted and approved this _____ day of _____, 2010.

MAYOR

Draft

ATTESTE:

CLERK OF THE COUNCIL

Draft

ORDINANCE AMENDING AND RE-ENACTING SECTION

10-3-48.3

OF THE

CODE OF ORDINANCES

CITY OF HARRISONBURG, VIRGINIA

**Be it ordained by the Council of the City of
Harrisonburg, Virginia:**

That Section 10-3-48.3 be amended as follows:

Section 10-3-48.3. Uses permitted by right.

Amend subsection (10) as shown:

(10) Hospitals, convalescent or nursing homes, funeral homes, medical offices and professional offices as defined by article ~~F~~ *F*.

The remainder of Section 10-3-48.3 is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the _____ day of _____, 2010.
Adopted and approved this _____ day of _____, 2010.

MAYOR

ATTESTE:

CLERK OF THE COUNCIL

Draft

ORDINANCE AMENDING AND RE-ENACTING SECTION

10-3-120

OF THE

CODE OF ORDINANCES

CITY OF HARRISONBURG, VIRGINIA

**Be it ordained by the Council of the City of
Harrisonburg, Virginia:**

That Section 10-3-120 be amended as follows:

Section 10-3-120. ~~Plan of development.~~ *Reserved.*

Remove and reserve this section.

~~Each request for amendment to this chapter, including the zoning map, shall be accompanied by a “plan of development” for the property included in the request, and shall have been reviewed by all applicable city officials before submission to the planning commission. If the application for rezoning is granted following the required public hearing procedure outline in section 10-3-105, the plan of development must be started within a period of two (2) years, and the proposed structure or structures, parking facilities, plantings and other landscaping must follow the plan of development introduced during the rezoning hearing. The planning commission will have a rehearing if the plan of development is not underway within two (2) years.~~

The remainder of Section 10-3-120 is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the _____ day of _____, 2010.
Adopted and approved this _____ day of _____, 2010.

MAYOR

ATTESTE:

CLERK OF THE COUNCIL

Draft

ORDINANCE AMENDING AND RE-ENACTING SECTION

10-3-122

OF THE

CODE OF ORDINANCES

CITY OF HARRISONBURG, VIRGINIA

Be it ordained by the Council of the City of Harrisonburg, Virginia:

That Section 10-3-122 be amended as follows:

Section 10-3-122. Withdrawal of application.

Amend as shown:

Applications for a change in zoning may be withdrawn from consideration before the first notice of a public hearing thereon has been published and fees refunded if no publication cost is incurred. Application for a change in zoning which are withdrawn after the end of the public hearing shall be considered as denied for the purpose of one-year limitation or reconsideration as provided in section ~~10-3-107~~ 10-3-121.

The remainder of Section 10-3-122 is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the _____ day of _____, 2010.
Adopted and approved this _____ day of _____, 2010.

MAYOR

ATTESTE:

CLERK OF THE COUNCIL

Draft

ORDINANCE AMENDING AND RE-ENACTING SECTION

10-3-123

OF THE

CODE OF ORDINANCES

CITY OF HARRISONBURG, VIRGINIA

Be it ordained by the Council of the City of Harrisonburg, Virginia:

That Section 10-3-123 be amended as follows:

Section 10-3-123. Conditional zoning.

Remove subsection (i):

~~(i) *Recordation of proffered conditions.* A certified copy of all ordinances accepting proffered conditions, together with a duly signed copy of the proffer statement, shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court within thirty (30) days of council approval.~~

The remainder of Section 10-3-123 is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the _____ day of _____, 2010.
Adopted and approved this _____ day of _____, 2010.

MAYOR

ATTESTE:

CLERK OF THE COUNCIL

February 2010 Proactive-Zoning Report

For the month of February 2010 the proactive-zoning program targeted the **Jefferson St.** section of the city. During the proactive inspections a total of **35 violations** were found. This was an increase in the number of violations from both the first and second 3-year cycles and as noted in the chart below. The violations consisted of inoperable vehicles and discarded materials.

MONTH	SECTOR	VIOLATIONS	CORRECTED	1 st CYCLE	2 nd CYCLE
December 2008	Wyndham Woods	4	4	2	0
January 2009	Northfield	19	19	21	6
February 2009	Purcell Park	5	5	7	6
March 2009	Parkview	16	16	19	7
April 2009	Northeast	63	63	80	45
May 2009	Ind./Tech Park	0	0	0	1
June 2009	Exit 243	1	1	10	0
July 2009	Fairway Hills	0	0	1	0
August 2009	Smithland Rd.	0	0	0	4
September 2009	N. Main St.	4	4	13	4
October 2009	Liberty St.	18	18	6	4
November 2009	Westover	17	13	18	8
December 2009	Garber's Church	1	1	1	2
January 2010	Spotswood Acres	1	1	6	4
February 2010	Jefferson St.	35	n/a	26	22
March 2010	Forest Hills/JMU			6	1
April 2010	S. Main			1	0
May 2010	Hillandale			7	5
June 2010	Maplehurst/JMU			6	5
July 2010	Long /Norwood			12	28
August 2010	Greystone			13	10
September 2010	Greendale/SE			3	2
October 2010	Ramblewood			4	8
November 2010	Stone Spring Village/JMU			2	10
December 2010	Sunset Heights			7	29
January 2011	Reherd Acres			10	12
February 2011	RT 33 West			0	16
March 2011	Chicago Ave			16	22
April 2011	Pleasant Hill			4	13
May 2011	Avalon Woods			7	26
June 2011	Waterman Elementary			6	61
July 2011	Bluestone Hills & Valley Mall			3	33
August 2011	Keister Elementary			6	5
September 2011	500-600 S. Main			7	30
October 2011	Court Square			0	3
November 2011	Preston Heights			8	3

The proactive-zoning program for March 2010 will be directed towards the enforcement of the Zoning Ordinance in the **Forest Hills/JMU** section of the City.

Proactive Zoning Map

